

the 1990s, the number of people in the UK who are employed in the public sector has increased by 1.5 million, from 2.5 million in 1980 to 4 million in 1998. The public sector has become a major employer in the UK, and its growth has been a major factor in the overall growth of the economy.

The public sector has also become a major provider of social services, and its growth has been a major factor in the overall growth of the economy. The public sector has become a major provider of social services, and its growth has been a major factor in the overall growth of the economy. The public sector has become a major provider of social services, and its growth has been a major factor in the overall growth of the economy.

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FROM FEUDALISM TO DEMOCRACY

*[A Study in the Growth of Representative Institutions in
Rajasthan, 1908—1948]*

BY

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AVANT PROPOS

This study is an attempt to trace the growth of representative institutions, such as Legislatures, District Boards, Municipalities and Panchayats, in the various defunct States of Rajasthan during a period of forty years, i.e., from 1908 to 1948, both these years being significant for the beginning of the people's participation in their government and for the eventual formation of the Union of Rajasthan. It is intended to be an objective and analytical interpretation of the relevant political facts rather than mere collection of historical data.

The importance of such a study cannot be over-emphasized in a country which has chosen the democratic way of life. The representative institutions are actually the various roots that feed and foster and fructify the tree of democracy. Their importance in Rajasthan has increased all the more since the pioneer initiation of the scheme of Democratic Decentralization in 1959. But the knowledge of the past is essential to the right understanding of the present and bright planning for the future. Hence the vital necessity of making such a study as the present one.

It is true that representative institutions made rapid progress after the formation of the Union of Rajasthan but they actually started coming into being in the first quarter of the present century and by the time of the formation of the Union of Rajasthan they had already taken firm roots in the sacred soul of this land of legends. It is a very interesting as well as rewarding process to study as to how these bodies originated, developed and worked in Rajasthan in spite of the strong feudal tendencies prevailing at the time.

The study is divided into ten chapters grouped under four parts. Part One introduces the circumstances which led to the origin and growth of representative institutions in Rajasthan. Part Two deals with the growth of legislatures. An attempt has been made to assess the relative importance and comparative achievements of these bodies in the various States of Rajasthan. Part Three attempts to view the local self-governing institutions in their proper perspective. Part Four reviews the progress of representative institutions in Rajasthan in comparison with their counterparts in British India and a few other Indian States. My aim throughout has been to assess the progress of these institutions from the standpoint of functional aspect theory.

The various defunct States of Rajasthan had been grouped by the British rulers under three political divisions, viz., The Western Division, The Southern Division and The Eastern Division. I have retained the same division in the scheme of the arrangement of my subject matter except that I have further divided the Eastern Division into three groups, viz., the J K.T. Region, the Matsya Region and the Hara Region, so as to bring together the states having geographical affinity. Besides tracing the growth of representative institutions, I have also traced the progress of these bodies in the Union of Rajasthan, Udaipur. Ajmer Merwara is excluded from the scope of this study as it was a separate unit and was under the direct rule of the British and the growth of representative institutions in it was analogous to the growth of their counterparts in British India.

I have tried, as far as possible, to base my study on original records, important documents, files of Praja Mandals of the various States of Rajasthan, secret police files, etc. It is, however, unfortunate that a good number of official records are no longer available. Some of the official records were destroyed by the authorities of the defunct States of Rajasthan at the time of the transfer of power to the authorities of the Union of Rajasthan. Some of the old records perished for want of proper care on the part of the present administration and, therefore, could not be made use of. I have also derived much from newspapers, State

Gazette, administrative reports of various States, pamphlets and booklets published by various individuals, etc. Besides, I have tried to substantiate my study with the information collected in personal interviews with a few political leaders, government officials and prominent persons.

A detailed bibliography of the original and secondary sources has been given at the end. The bibliography also includes the reference books that helped me visualize my subject in its correct background. Most of my material was, of course, available in Hindi, Urdu and Rajasthani. Therefore, I had to translate the original into English wherever I found it necessary to do so. The work being related to regional study it is but natural that many local terms have crept in. So, in order to facilitate their understanding a glossary of such regional and local words has been attached to this study.

I can never be grateful enough to Dr. S.P. Varma, University Professor of Political Science, University of Rajasthan, Jaipur, for his generous help and illuminating guidance that I received from him. In spite of his multifarious activities and many pressing calls on his precious time, he has been always ready to help me with an encouraging smile that never fades from his face. Even when he was abroad as Fulbright Professor visiting the States, he continued to guide me through his inspiring and enlightening letters at regular intervals.

For help and encouragement I remain deeply indebted to Shri V.V. John, Ex-Director of College Education Rajasthan, Jaipur; Dr. R.R. Kasliwal, Professor in Political Science, University of Udaipur; Dr. I.N. Shrivastava, Professor in Political Science, University of Rajasthan, Jaipur; Shri N.L. Khargavat, Director of Archives, Rajasthan, Bikaner; and Professor D.C. Bhanawat, Government College, Chittorgarh.

I wish to express my sincere thanks to the persons in charge of various libraries and record offices as well as to the various political leaders, government officials and public men who have

directly or indirectly helped me in completing the present work. I am sincerely grateful to all these scholars and authors by whose works and ideas I have been benefited.

In the end I express my sincere thanks to S. Chand & Co., New Delhi, without whose help it would not have been possible to bring out this work.

RANJEET SINGH DARDA

MANDALGARH (RAJASTHAN).

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PART ONE
INTRODUCTORY

“Majority of the rulers of Rajasthan brutally crushed the republics of Bhils, Minas, Yaudheyas and Jats by the might of their swords but their own false pride could not stand before the Mughal Emperors, the Maratha Generals and the English merchants.”

VIJAY SINGH PATHIK

“Modern ideas, disseminated by quick transport and communications, the radio and the cinema, the spread of education and the greater amount of liberty of expression enjoyed by the people and the press, have opened and will open doors wider, which previously secluded ‘Indian India’ from abroad.”

SIR D.W. FIELD,
Prime Minister of Jodhpur.

CHAPTER ONE

Growing Demand for Representative Institutions in Rajasthan

Introduction

One of the remarkable events in the political and constitutional history of the present century in Rajasthan is the inception and evolution of representative institutions. It was a cumulative effect of various factors, such as the beginning of political consciousness in the subject people, the constitutional and administrative reforms introduced in British India and Indian States, the work of political organisations, the friendly advice of the Government of British India, and the realisation of the necessity of reforms on the part of the rulers. Here follows a brief review of the factors and the circumstances responsible for the growing demand for representative institutions.

A. Beginning of Political Consciousness

Political consciousness was the prime and vital element responsible for the inception and evolution of representative institutions in Rajasthan.

By and by this powerful upsurge became a mighty river overwhelming everything that came into its way. Following were the important factors that added force to its flow :—

(1) *Religious and Social Reform Movements :*

One of the potent causes of the development of political consciousness was the inevitable religious awakening of the 19th

century. Many inspired saints and ardent reformers like Swami Dayanand Saraswati, Swami Vivekananda, Sadhu Nischhal Das, Sanyasi Atma Ram and Swami Govind Giri spread the movement of religious and social reforms in Rajasthan. Between 1862 and 1882, Swami Dayanand visited Ajmer, Bharatpur, Banera, Chittor, Dholpur, Karauli, Jaipur, Jodhpur, Masuda, Raipur and Udaipur. He unfolded before the Rajasthanis their glorious past and impressed upon them the value of self-confidence.¹ Swami Vivekanand, a patriot saint, exercised an equally powerful influence on the mind of the Rajasthani youth. He visited Alwar in 1892 and gave to the masses a message of hope and inspiration.² Swami Govind Giri started a movement for the prohibition of alcoholic drinks and abolition of Dapa System* in the aboriginal tribes of Sirohi, Dungarpur and Banswara States.³ Sadhu Nischhal Das and Atma Ram worked for the social and religious regeneration in the State of Bundi.⁴ The work of all these reformers, national as well as regional, contributed immensely to the practical regeneration of Rajasthan.

(2) Impact of Western Education :

Another equally important factor that inspired political consciousness among the people of Rajasthan was the dissemination of Western education. Prior to the coming of the Rajasthan States in contact with the British, the education system was practically in the hands of individuals who based it on old patterns of 'Hindu Posalas' and 'Muslim Makatabas'

1. G.H. Ojha : *Ojha Nibandh Sangraha*, Part III, (1954), pp. 135-140.

J.S. Gahlot : *Rajputana ka Itihas*, Vol. I, (1937), pp. 287, 564.

S. Satyanand : *Shri Madhyandand Prakash*, (Edition I), pp. 80, 350, 447, 473, 501, 557.

S.S. Shastri : *Maharshi Dayanand*, (Edition I), pp. 197, 198, 200, 206, 213.

2. P.V. Mehta : *Hamara Rajasthan*, (1950), pp. 270-280.

*Dapa System : Under this system the father of a girl forced the bridegroom or his parents to pay him earnest money for giving his daughter in marriage.

3. J.S. Gahlot : *Rajputana ka Itihas*, Vol. II, (1960), p. 70.

S.L. Katordia : *Dungarpur ek Sinhalokan*, (1932), p. 2.

4. J.S. Gahlot : *Op. Cit.*, Vol. II, p. 100.

and the state paid no attention to the educational development.⁵ But in the second quarter of the 19th century the situation began to change. The rulers of the states started opening educational institutions in their States. Schools were opened by the States of Alwar (in 1842), Jaipur (in 1845), Bharatpur (in 1858), Udaipur (in 1863), Sirohi (in 1867), Banswara (in 1868), Jodhpur (in 1869), etc.⁶ At the dawn of the 20th century Jodhpur State had 34 institutions which included one College (established in 1893), one High School and one Girls School; Udaipur had 42 government institutions which included one High School; Bikaner had 38 government institutions, which included one High School and one Girls School; Jaipur had 385 public and indigenous institutions which included one college (established in 1873), one school of Industrial Art (established in 1868), and ten girls schools; Bharatpur had 95 institutions; Jaisalmer had 3; Jhalawar had 9, including one High School; and Dungarpur had eleven government institutions.⁷

Gradually education made much headway. In the first quarter of the present century Middle schools were established at the capital of almost every state, a few of which were raised to High Schools, viz., Sirohi Calvin High School (1915), Bundi Darbar High School (1921), Dungarpur High School (1922). The Mewar Government established Maharana Bhupal College in 1923.⁸ Herbert High School, Kota, was also raised to the status of an Intermediate College in 1924.⁹ All these institutions

5. Major K.D. Erskine : *Rajputana Gazetteer*, Vol. III A, (Compiler) (1908), p. 167.

6. R.C. Mazumdar (Gen. Editor) : *British Paramountcy and Indian Renaissance*, Part I, (1963), p. 975.

Major K.D. Erskine, (Compiler) : *Rajputana Gazetteer*, Vols. I, II, and III, (1908).

7. Major K.D. Erskine (Compiler) *Gazetteer of Dungarpur State*, (1908).

Major K.D. Erskine : *Gazetteer of Jaisalmer State* (1908).

Major K.D. Erskine : *Rajputana Gazetteer*, Vol. III, (1908).

Major K.D. Erskine : *Gazetteer of Udaipur State*, (1908).

Major K.D. Erskine : *Gazetteer of Banswara State*, (1908).

Administrative Report, Jhalawar State, 1902-03, (Chapter on Education).

Administrative Report, Jaipur State, 1905-06, p. 11.

8. *Administrative Report, Mewar State*, 1923-24, p. 53.

9. *Administrative Report, Kota State*, 1923-24, p. 53.

helped widen the mental horizon of the new generations of Rajasthan. Through works in English, the people of Rajasthan read the history of the French Revolution, the Glorious Revolution, the American war of Independence and thus they came in contact with European political thoughts on liberalism, socialism and democracy. This made the people conscious of the ideas of political freedom and the enlightened minority started thinking in terms of equality and liberty.

(3) *Development of Press and Literature :*

The press and literature, indigenous as well as foreign, played a vital role in the growth of political consciousness in Rajasthan. The views of the leaders, the sufferings of the masses, the evils of the princely despotism and the demand for the establishment of democratic institutions were propagated, advertised, unfolded and disseminated through the press. The most important among the newspapers were 'The Leader' (Allahabad), 'Pratap' (Kanpur), 'Rajasthan Kesari' (Wardha), 'Navin Rajasthan' (Ajmer), 'Tarun Rajasthan' (Beawar), 'Prabhat' (Jaipur), 'Raiyasat' (Bharatpur), 'Jai-Hind' (Kota), 'Navjeevan' (Udaipur), 'Praja Sevak' (Jodhpur), 'Lokwani' (Jaipur), 'Lok Sevak' (Kota), etc. The eminent amongst the Rajasthani writers whose writings influenced the people, were Sarvashri Kesari Singh Bareth, Vijaya Singh Pathik, Jamna Lal Bajaj, Jai Narayan Vyas, and Haribhau Upadhyaya. Shri Kesari Singh Bareth wrote the famous couplets of 'Chetavani-ka-chungtia' ('Pinches to warn and wake') in Dingal* to which is attributed the credit of kindling the fire of nationalism in the heart of Maharana Fateh Singh of Mewar. This brilliant and pungent poem is supposed to have dissuaded the Maharana from attending the Delhi Durbar.¹⁰ Maharana

* Dingal : A Rajasthani dialect renowned for the expression of heroic ideas.

10. B.D. Kela : *Deshi Rajyon ki Jan Jagriti*, (1948), p. 25.

P.V. Mehta : *Op. Cit.*, p. 311.

R.N. Chowdhari : *Vartman Rajasthan*, (Edition I), p. 51.

Dr. Raghbir Singh : *Purva Adhunik Rajasthan*, (1951), p. 308.

H. Agarwal : *Rajasthani Aazadi ke Diwane*, (1953), p. 11.

Stephen Wheeler : *History of Delhi Coronation Darbar*, p. 68, (Edition I).

In this book Wheeler mentions that Maharana Fateh Singh was present in Delhi but he could not attend the Darbar owing to ill health.

Fateh Singh received the poem at the Sareri Station.* On receiving these couplets, the Maharana exclaimed : "Had I received these couplets before, I would not have proceeded from Udaipur."¹¹ Two of the couplets were :

1. "कठन जमानौ कौस-बांधे नर हिम्मत बिना
(यो) बीरा हर्दो बोल, पातल सांगे ! पेखियों ॥"
2. "मान मोद सीसोद, राजनीति बल राखणों ।
गवरमिट री गोद, फल मीठा दीटा फत्ता ॥"

1. (When man lacks strength and resolution he thinks that the time is out of joint. Rana Sanga and Pratap were aware of this truth.)
2. (One should preserve one's glory, honour and self-respect through political and diplomatic powers. "O Fateh Singh, do you expect to get sweet results by going under the protection of the British Government?")

(4) *Speedy means of Transport and Communication :*

The swift means of transport and communication also added to the growth of political consciousness. By 1914 Jodhpur-Bikaner Railway, Mewar State Railway, Rajputana-Malwa Railway, Jaipur State Railway, etc., had been constructed. Pukka roads from Partabgarh to Mandsaur, Agra to Deesa *via* Jaipur and Ajmer, Nasirabad to Neemuch *via* Chittor, and from Banswara to Ratlam, were also completed. All these improved means of transportation helped break, once and for all, the age-long isolation of the people of the States of Rajasthan. Post offices were established in various states. They were followed by the establishment of telegraph offices. A few rulers organised their own postal services in their States. All this helped the people of Rajasthan to get acquainted with each other, grievances, to exchange their ideas and to work out a common programme for united action. In short, the improved means of transport and communication

* Sareri Station: A Railway Station between Bhilwara and Ajmer on Ajmer-Khandawa line.

11. B.D. Kela : Op. Cit., p. 25.

engendered the feelings of unity among the subject people and gave rise to the political consciousness.

(5) *Growth of Political Consciousness in India :*

The growth of political consciousness in British India also contributed to the political awakening in Rajasthan. A few States, such as Alwar, Bharatpur, Bikaner and Sirohi were adjacent to British India and political consciousness flowed down from British India to the people of these States. Thus the political stir in British India greatly affected the States of Rajasthan. Prof. G.R. Abhyankar has aptly observed : "The hopes and aspirations in British India crossed the frontiers of Indian States".¹²

(6) *Humiliating conditions of the subject people :*

The state of affairs prevailing in various States of Rajasthan was very humiliating. People were suffering under the tyranny of the rulers and their order. There was no Rule of Law. There was no law in any State of Rajasthan which guaranteed the liberty of association and security of life and property to the citizens.¹³ No court had powers to issue the writ of Habeas Corpus to protect the bodies of persons detained or deported without trials.¹⁴ Forced labour was the order of the day. All, except the Rajputs and the Brahmins, were forced to do manual work for their rulers free of charge and as long as the ruler wished.¹⁵ Slavery was practised. The system was not only sanctioned by universal custom but even sanctified by law in some states, viz., Bundi, Tonk. The slaves were known as 'golas', 'chakars', 'hajuries' and 'darogas'. They were considered as their master's property. In brief, the position of the subject people was not in any way better

12. G.R. Abhayankar : *Work in England of the Deputation of the Indian States Peoples' Conference*, (1929), p. 7.

13. "*New India*", December 7, 1928.

14. *Ibid.*

15. R.C. Vyas (Editor) : *Mewar : An Introduction*, (1945), p. 4.
R.N. Choudhary : *Op. Cit.*, pp. 82-83.

Baj Nath Mahodaya : *Riyaston ka Sawal* (First Edition), p. 9.

than that of the slaves in ancient Rome.¹⁶ Shri J.L. Bajaj described the condition prevailing in Rajasthan as 'very humiliating and very bad.'¹⁷ People felt it and, therefore, started resenting it.

(7) *People's Economic Distress :*

The economic condition of the people of Rajasthan was very deplorable. They were very poor. Most of the people lived on agriculture and worked on the Khalsa land or Jagir which did not belong to them. A major part of the fruits of their labour was taken away from them by the agents of the state or by the feudal lords and very little of the fruits of their labour was left for their maintenance. They were required to pay many taxes and cesses, legal or illegal, customary or non-customary. The economic condition of the aboriginal tribes was still worse. Shri Premchand, a Bhil teacher, described the condition of the Bhils in these moving words : "Women cannot cover even their private parts for want of clothes and men are compelled to pass their winter nights only with a loin-cloth on their bodies. Not to speak of beds and dresses, a good number of Bhil children do not get even rags to cover their bodies with. In some places the babies are placed in dung heaps".¹⁸ The cultivators were in perpetual indebtedness and there were few who did not owe some money to the 'baniya'. There was unemployment in the educated people.¹⁹ While majority of the people of Rajasthan were poverty-stricken, a few of their masters and exploiters rolled in wealth and luxury.

(8) *Effect of the Historical Studies :*

While the people passed their days in such misery and wretchedness, the glories of ancient days were revealed through the writ-

16. "New India", December 7, 1920.

17. Presidential address by Shri J.L. Bajaj as reported in the *Proceedings of the Rajputana Central India Sabha session held at Ajmer* in 1920 ; Newspaper cuttings File No. 74 of 1920, Rajasthan Archives, Bikaner.

18. B.D. Kela : Op Cit., p. 15.

19. "The Tarun Rajasthan", March 24, 1925.

B.D. Kela : Op. Cit., p. 216.

ings of historians. The works of Col. Tod, Surya Mal Mishran, Munshi Jwala Sahai, Shri Shyamal Das, Shri Ram Narayan Duggar, Shri Hira Chand Ojha, Shri Jagdish Singh Gahlot and many other scholars revealed to the people the greatness of their past. The works of these scholars²⁰ graphically described the political, economic and social conditions of the princely States of Rajasthan which made the Rajasthanis proud of their past and their faith in it became all the more firm when they heard its praise from foreigners. Col. Tod admiringly observed : "There is not a petty state in Rajasthan that has had not its Thermopylae and scarcely a city that had not produced its Leonidas."²¹ Such appreciation inspired great confidence and hope in the people of Rajasthan.

(9) *Repressive and Oppressive Acts of the States :*

As political consciousness started to develop among the people, the central and the state authorities tried to throttle it by enacting various repressive legislations. In 1922, the Government of India enacted 'The Indian States (Protection against disaffection) Act.'²² The Act armed the State authorities with unlimited powers to take action against any person found indulging in any activities amounting to the excitement of disaffection towards any prince or his government.²³ The princely States of Rajasthan followed suit and enacted oppressive laws, such as 'The Marwar Press Act, 1923', 'The Alwar State Seditious Meetings and Publication Act, 1932', and 'The Bikaner State Public Safety Act, 1932', to deprive the people of every sort of liberty. Any kind of political liberty was disallowed and any person found indulging

20. The Chief works of these scholars were :—

- (a) Col. Tod's *Annals and Antiquities of Rajasthan*, Vols. I (1886), and II (1889).
- (b) Misran's *Vansh Bhaskar*, (1868).
- (c) Jwala Sahai's *History of Rajputana*, (1878).
- (d) Shamaldas's *Vir Vinod*, Vol. I to IV.
- (e) R.N. Charan's *Itihas Rajputana*, (1892).
- (f) G.H. Ojha's *Rajputana ka Itihas*, Vol. I (1925).
- (g) J.S. Gahlot : *Rajputana ka Itihas*, Vol. I (1939).

21. Col. Tod : *Annals and Antiquities of Rajasthan*, Vol. I, p. XVIII, (Introduction).

22. P.V. Mehta : *Op. Cit.*, p. 371.

23. *The Indian States (Protection against disaffection) Act, 1922*, Section 3(1).

in such activities was arrested and put into jail. For example, in 1929, Shri Anand Raj Surana and a few others tried to convene a political conference at Nagaur (a town in Jodhpur State) but Shri Surana and Shri Bhanwarlal Saraf were arrested on the charge of spreading dis-satisfaction against the State. They were prosecuted and sent to jail.²⁴ In 1933, Mahant Gopaldas made a speech at Churu in which he criticised the government policy of increasing land-revenue in the State of Bikaner. He was arrested and his property was confiscated.²⁵ Newspapers were banned and freedom of press and publication was throttled.²⁶ When Praja Mandals started coming into being, the various state authorities enacted Public Societies Registration Acts (e.g., Sirohi Public Societies Act, 1939; Jaipur State Public Societies Act, 1939; Alwar State Registration of Societies Act, 1939, etc.) to prevent the establishment of political organisations. They refused to register the Praja Mandals and declared them illegal associations under the provisions of these Acts. But these acts of repression and oppression only strengthened the will of the people to fight for their rights and liberties.

(10) *The effect of World Wars :*

The World Wars I and II helped the cause of political consciousness in Rajasthan in two ways. Firstly, they brought the States of Rajasthan closer to British India by necessitating closer co-operation between the States and the British provinces. This close association facilitated the inter-change of ideas between the people of British India and Rajasthan States. This led to the rise of political consciousness in the States. Secondly, soldiers (of the princely States) who fought abroad felt thrilled with the new ideas of liberty, equality and democracy prevailing in foreign countries. On returning home they spread these ideas in the

24. B.D. Kela : Op. Cit., pp. 228-229.

P.V. Mehta : Op. Cit., p. 409.

25. Sarangdhardas : *Bikaner* (States Peoples' Conference News, Series No. 6).

26. In 1937, Shri Krishan Jigyasu of Udaipur State got published an open letter in one of the Newspapers. As a result of this he was arrested, beaten and made captive without trial.—*Rajasthan*, Sept. 5, 1938.

subject people of the various States of Rajasthan and thus gave rise to political consciousness in the land.

(11) *Rise of Political Organisations :*

The establishment of political organisations followed in the wake of political awakening and they played a vital role in boosting up political consciousness in the people of Rajasthan. Political organisations started coming into being in Rajasthan in the first decade of the present century. During 1905-1906 'Samp Sabhas' were established in the States of Banswara, Dungarpur and Sirohi to champion the cause of aboriginal tribes.²⁷ These advocated the revival of panchayat system and local industries and strove for the grant of a few administrative reforms. In 1915, Shri Vijaya Singh Pathik organised a 'Seva Samiti' in Bijolian.²⁸ In 1918, Shri Chandmal Surana organised the 'Marwar Hit Karini Sabha' at Jodhpur.²⁹ In 1919, the 'Rajasthan Seva Sangh' was established with its headquarters at Ajmer.³⁰ The main objectives of the Sangh were to obtain redress of the grievances of the public, to support the rightful claims of the rulers and the jagirdars, and to create friendly relations between the people and the jagirdars.³¹ The branches of the Sangh were established in the States of Bundi, Jaipur, Jodhpur and Kota. The Sangh did useful work in its early years. It guided the leaders of the agrarian movements between 1920 and 1924 and conducted investigations into the police atrocities in the States of Sirohi, Bundi and Udaipur. In 1924, the Sangh started declining in its influence and was completely defunct by the year 1928.³²

27. Gahlot & Varshney : *Deshi Rajyon ka Digdarshan*, (1948), p. 40.
P.V. Mehta : Op. Cit., p. 297.

Dr. Raghubir Singh : Op. Cit., p. 312.

28. P.V. Mehta, : Op. Cit., p. 239.

29. Gahlot & Varshney : Op. Cit., p. 42.

30. The Rajasthan Sewa Sangh was established in 1919 with its headquarters at Wardha. In 1920, the headquarters was shifted to Ajmer.

31. B.D. Kela : Op. Cit., p. 64.

32. B.D. Kela : Op. Cit., p. 84.

Dr. Raghubir Singh : Op. Cit., p. 326.

In the thirties of the present century Praja Mandals began to be established in the various States of Rajasthan. In 1931, Shri K.C. Patni established a Praja Mandal in Jaipur.³³ The Marwar Praja Mandal was established in 1934.³⁴ In 1935, the Sirohi Praja Mandal was established at Bombay and was later on shifted to Sirohi.³⁵ In 1937, the Jaipur Raj Praja Mandal was reorganised.³⁶ In 1938, the Marwar Praja Mandal was reorganised and renamed as 'Marwar Lok Parishad.'³⁷ The Praja Mandals were gradually established in the States of Udaipur (1938), Kota (1938), Shahpura (1938), Dholpur (1938), Bundi (1938), Alwar (1938), Bharatpur (1939), Banswara (1940), Bikaner (1942), Dungarpur (1945), and Kishangarh (1946). The activities of the Praja Mandals helped develop political consciousness in the subject people. The Praja Mandals organised annual conferences, exhibitions, public meetings, processions and demonstrations. In 1942, the Rajputana Regional Council of the All India States People's Conference was organised to coordinate, direct and supervise the activities of the various State Praja Mandals. The Rajputana Central India Sabha (established in 1919), the Indian National Congress and the All India States People's Conference, all played a vital role in the development of political consciousness. Without the help of these national organisations political consciousness would not have developed in the minds of the subject people of Rajasthan.

(12) *Emergence of Political Leaders :*

The emergence of capable political leaders also helped a great deal in the growth of political consciousness in the people. Rajasthan was fortunate enough to have leaders of the eminence of Shri Jamna Lal Bajaj, Shri Vijaya Singh Pathik, Shri Jai Narayan Vyas, Shri Manik Lal Varma, Shri Hira Lal Shastri, Shri

33. P.C. Jain (Editor) : *'Aj ka Jaipur'*, (1948), p. 121.

34. B.D. Kela : *Op. Cit.*, pp. 229-30.

35. *Administrative Report, Sirohi State*, for the year ending on 31st Oct., 1939, p. 5.

36. P.C. Jain (Editor) : *Op. Cit.*, p. 123.

37. Gahlot and Varshney : *Op. Cit.*, p. 95.

Gokul Bhai Bhatt, Shri and Shrimati Ram Narayan Choudhary, and Shri Haribhau Upadhyaya. These leaders played a very important role in the political regeneration of the state by providing the right type of leadership to the masses of Rajasthan at the right time. Mahatma Gandhi, Shri Jawaharlal Nehru, Dr. P. Sitarammaya, Acharya Kriplani, Shri Sri Prakash and other leaders of all India status guided the leaders of Rajasthan in their political activities and inspired in them courage and fortitude 'to strive, to seek, to find and not to yield.'

(13) *Agrarian Rising :*

Agrarian rising also helped in kindling the fire of political consciousness in Rajasthan. The kisans of Rajasthan were suffering under the tyranny of the state authorities and jagirdars. In Bijolian (Mewar), the kisans were required to pay 'begar', 'lagbag' and about 75 other unjust taxes; in Begun (Mewar), the kisans were not allowed to bring fodder from the forest and were required to pay several exorbitant taxes; in the State of Bundi the kisans were required to pay a war-levy even in 1922 although the War had come to an end in 1918. When all this injustice became unbearable, the peasants resorted to peaceful struggle. The start was made in 1918 by the kisans of Bijolian under the dynamic leadership of Shri Vijaya Singh Pathik and was followed by the kisans of Begun (in 1922), the jats of Parsoli, Bassi, Amargarh and Kachola (in between 1922 and 1924), the peasants of Bundi (1922); the kisans of Khetri (1921-22) and Sikar (1924) and by the kisans and petty jagirdars of Noomchana in Alwar State (1924). The thikanedars and the state authorities committed great atrocities. The kisans were beaten with 'Jarbas'* and sticks, hanged on trees, fired at by the police and subjected to every sort of inhuman torture and humiliation. Their huts were burnt and women were assaulted and insulted.³⁸ In spite of these atrocities, the kisans refused to

* *Jarba* : A five-foot long leather shoe especially manufactured to beat the kisans with and thus to humiliate them.

38. This description is based on :

(i) P.V. Mehta : Op. Cit., pp. 328-380.
 (ii) B.D. Kela : Op. Cit., pp. 42, 69, 70, 72, 73, 77, 80, 212-215.
 (iii) R.N. Choudhary : Op. Cit., pp. 59-126.

yield till their grievances were redressed and demands were fulfilled.

In 1927, the kisans of Bijolian launched a peaceful movement to oppose the unjust increase in land revenue. In 1935-36 the kisans of Sikar started movement against the system of Lagbag. In 1940, the tenants of Shekawati launched a 'No-Rent campaign'. In 1946, the kisans of Dudhwara in Bikaner State started a movement to oppose the increase of land revenue. In the same year the malies of Pokaran (Jodhpur State) left their homes to oppose the tyranny of their Jagirdar.³⁹

These Kisan Movements created a boldness in the people to fight for their rights and helped a lot in the growth of political consciousness among the masses.

(14) *Stir among the Aboriginal Tribes :*

Aboriginal tribes too were suffering under the tyranny of their rulers. Under the guidance of the Samp Sabha, the bhils of Banswara, Dungarpur and Sirohi launched peaceful movements in the first decade of the present century for the introduction of administrative reforms. But the movements were suppressed by the State authorities.⁴⁰

In 1922, the tribal people of Sirohi, Mewar and Marwar started the Non-payment of Land Revenue Movement under the leadership of Shri Moti Lal Tejawat, popularly known as 'Mewar ka Gandhi'.⁴¹ This movement threatened serious trouble in these three States. The Governments adopted every method to crush the movement.⁴² In Mewar the army was called to suppress the uprising of the Bhils. In Sirohi, the State police committed

39. This description is based on :

(i) B.D. Kela : Op. Cit., p. 236.

(ii) P.V. Mehta : Op. Cit., pp. 208, 234, 254.

40. S.L. Katordia : Op. Cit., p. 11.

Gahlot and Varshney : Op. Cit., p. 40.

41. B.D. Kela : Op. Cit., pp. 72, 76.

P.V. Mehta : Op. Cit., p. 358.

42. B.D. Kela : Op. Cit., p. 73.

P.V. Mehta : Op. Cit., p. 358.

great atrocities on them. This movement accelerated the growth of political consciousness in the tribal people.

(15) *Political Movements :*

Movements organised from time to time for the attainment of civil liberties and responsible government helped develop political consciousness in the masses of Rajasthan. Here follows a brief account of some important political movements :—

(a) *Movements of the Twenties :* In 1920 Mahatma Gandhi launched his famous non-violent Non-Cooperation Movement. Though the Non-Cooperation Movement was not launched in the Indian States, yet it had its repercussions in them too. The movement caught the imagination of the people of Rajasthan and the leaders tried to stir agitation in the States. Their efforts bore fruit and Kisan Movements were organised in the States of Alwar, Bundi, Jaipur, Jodhpur, Udaipur and Sirohi. In 1924, the people of Jodhpur State organised processions, demonstrations and agitations against the State authorities with the aim to get rid of a few troubles.⁴³ The State authorities banned the civil liberties. A few people were exiled from the State and some others were declared undesirable elements.⁴⁴ In 1924, the 'Nav Puragana Mahajan Sabha' launched a political agitation to oppose forced labour in the state of Sirohi.⁴⁵ In 1926, Shri Jai Narayan Vyas and a few others started an agitation for the restoration of civil liberties and reforms in the administration of Jodhpur State.⁴⁶ In 1927, the Tonga episode* roused the people of Jaipur against the State authorities. They observed 'hartal' (strike) for five days and held mass-meetings on the 2nd

43. P.V. Mehta, : Op. Cit., p. 357.

44. Ibid., p. 357.

45. J.S. Gahlot : *Rajputana ka Itihas*, Vol. II, Chapter on Sirohi State, p. 94.

46. R.N. Choudhary : Op. Cit., pp. 134-141.

* *Tonga Episode* : On Sept. 1, 1927, an inoffensive Tongawala was assaulted by a constable of the State police. A few citizens tried to remonstrate with the police against such an act of high-handedness but they were also beaten. In the evening a few thousand people assembled before the Kotwali but the police broke fire on them.

and 3rd September, 1927, in which resolutions for the grant of civil liberties were adopted.⁴⁷

(b) *Movements in Early Thirties* : In 1930 Mahatma Gandhi launched his Civil Disobedience Movement. Ajmer became a centre of this movement in Rajasthan.⁴⁸ Political workers from nearby States flooded in Ajmer, participated in the movement and were put behind the bars.⁴⁹ After the signing of the Gandhi-Irwin Pact, these political workers were released from Jail in 1931. With their return to their native places, the ideals and the philosophy of the Movement began to reach the people of the States. It created a slight stir in a few States. For example, in Kota State, on Dec. 15, 1931, a few merchants of Kota city decided in a meeting not to deal in foreign clothes.⁵⁰ In order to carry out this decision a deputation was sent to all merchants. Some shops continued to sell foreign clothes. So, they were picketed at and the sale was stopped.⁵¹

(c) *Praja Mandal Movement* : In the later part of the thirties, the Praja Mandals began to come into being. But the establishment of the Praja Mandals was not welcomed by the 'Darbars' (rulers) of the States. The State authorities turned down the requests to register the Praja Mandals as lawful associations.⁵² Such adverse attitude of the State authorities forced the political workers to launch political agitations to achieve the objectives of the recognition and registration of the Praja Mandals as lawful associations and to attain civil liberties.

47. "The National Herald", Sept. 9, 1927.
B.D. Kela : Op. Cit., p. 249.

48. P.V. Mehta : Op. Cit., pp. 39-397.
R.N. Choudhary : Op. Cit., pp. 121-142.

49. Sarvashri Amrit Lal Sethi of Jaipur, Vijaya Singh Pathik of Mewar, Jeetmal Lunia of Jodhpur, Abhin Hari of Kota, Mrs. Narani Devi Verma of Bijolian (Mewar), etc., were arrested and sent to jail.

50. *Rajasthan Sandesh*, Jan. 4, 1932.

51. File No. 12/17 : *Mahkma Khas*, Kota State Letter No. 42/10-B/32 dated Jan. 1932 from the Political Agent.

52. The reasons for non-recognition and non-registration of Jaipur Raj Praja Mandal as put forward by the Jaipur Government are given in Appendix I. Similar reasons were advanced by the authorities of other States for non-recognition of Mandals.

The Mewar Raj Praja Mandal was established in April, 1938. The Government of Udaipur tried to strangle the Mandal in the cradle and declared it illegal.⁵³ The leaders of the Praja Mandal made peaceful efforts to persuade the State authorities to withdraw the order but the Government refused to hear. Left with no alternative, the Praja Mandal launched a Civil Disobedience Movement on October 4, 1938. The movement spread all over Mewar and continued for six months. The Government tried to suppress the movement in a ruthless way. About 288 persons were arrested, of which 35 were sentenced to imprisonment. On the advice of Mahatma Gandhi, the Satyagrah was suspended on March 3, 1939,⁵⁴ though the ban on Praja Mandal continued till April, 1941.

In Jaipur State the Government turned down the request of the Jaipur Raj Praja Mandal to be registered as a lawful association in the beginning of 1939.⁵⁵ As a protest against the decision of the Government the Jaipur Raj Praja Mandal launched a mass Civil Disobedience Movement on February 1, 1939, under the leadership of Shri J.L. Bajaj.⁵⁶ Processions and demonstrations were organised in the various parts of the State. About five hundred persons including Shri Bajaj and the members of the Praja Mandal Executive were arrested. The Civil Disobedience Movement was suspended on March 19, 1939. Soon negotiations started between the Praja Mandal leaders and the State authorities. Consequently, the political leaders were released, some civil liberties were granted and the Praja Mandal was recognised and registered as a lawful association.⁵⁷

In 1939, the Government of Bharatpur State refused to register

53. M.L. Sukhadia (Editor) : *Mewar Praja Mandal, 1938-45*, pp. 1-3.

B.D. Kela : Op. Cit., pp. 240-41.

54. M.L. Sukhadia (Editor) : Op. Cit., p. 3.

55. *Prabhat*, Jan. 13, 1939.

P.C. Jain (Editor) : Op. Cit., p. 123.

56. Upadhyaya and Joshi : *Rajasthan ke Jyoti Stambha*, (1949), p. 225.

B.D. Kela : Op. Cit., p. 256.

57. B.D. Kela : Op. Cit., pp. 256-257.

Upadhyaya and Joshi : Op. Cit., pp. 225-226.

the Bharatpur Praja Mandal as a lawful association.⁵⁸ This action of the Government obliged the Praja Mandal leaders to launch a Satyagraha in March, 1939, for the recognition of the Praja Mandal. Processions and demonstrations were organised and 473 persons were arrested. In December, 1939, the State authorities agreed to the registration of the Praja Mandal and, therefore, the Satyagraha came to an end. Satyagraha movements were launched also in the States of Kota and Jaisalmer to achieve the recognition and registration of Praja Mandals.⁵⁹

(d) *The August Movement of 1942* : The year 1942 was an eventful one in the political history of India. That year, in August, Mahatma Gandhi gave his two-word slogan 'Quit India' which stirred the whole nation and revolutionary fire began to blaze in every corner of India. The Presidents of the Praja Mandals of Alwar, Bharatpur, Shahpura, Kota and Udaipur sent letters to their respective 'Darbars' and requested them to sever their relations with the British Government.⁶⁰ But the Governments of the concerning States paid no heed to the ultimatum and the Praja Mandals were obliged to launch the movement in the States.

In Bharatpur State, the movement was launched on August 11, 1942.⁶¹ Forest boundary pillars were uprooted and telegraph and telephone wires were cut off. About 56 persons were arrested and detained in jail. In Alwar State processions and demonstrations were organised.⁶² Shri Shobha Ram, President of the Praja Mandal, observed 16 days' fast and three lawyers renounced their profession. In Mewar, the movement was launched on August 21, 1942. Leaders were arrested. Citizens as well as

58. B.D. Kela : Op. Cit., p. 220.

A.S. Chaturvedi : *Struggle for Responsible Government in Bharatpur State*, (1947), p. 7.

59. *Administrative Report, Bharatpur State*, (1938-39), p. 5.

60. A copy of the letter addressed by Mr. Manik Lal Varma, President of Mewar Praja Mandal, is given in Appendix II.

61. *Administrative Report, Bharatpur State*, 1941-42, pp. 2-3.

B.D. Kela : Op. Cit., p. 222.

A.S. Chaturvedi : Op. Cit., p. 6.

62. *Alwar State Praja Mandal File*, 1939-45.

students organised demonstrations and processions. The movement spread to all the towns and villages of the Mewar State, e.g., Nathdwara, Bhilwara, Chittor, Chhoti-Sadri, Bhindar, Kanore, Bijolian, Rishabhdev, Rajnagar, Kapasan and Jahazpur. Resultantly, about five hundred persons, including seven women, were arrested.⁶³

In Kota State the movement was launched on August 20, 1942. Three Praja Mandal workers were arrested. People seized the city, put police guards into cells and hoisted the national flag on the city police station. Dewan Harilal Gosalia and the British Army remained outside the city for three days. On August 24, 1942, Ex-Dewan Ap Onkar Singh intervened. As a result, an agreement was arrived at between the State authorities and the people's representatives. Accordingly, the city doors were opened for the entry of the military and the administration of the city was handed over to the State authorities and Dewan Harilal Gosalia, who was alleged to be an obstacle in the way of a settlement, was asked to leave the State.⁶⁴

In Sirohi State, a Satyagraha was launched on August 27, 1942. Four Praja Mandal workers were arrested, of which three were prosecuted under the Defence of India Rules and one was exiled.⁶⁵ In Shahpura State a Satyagraha was launched on September 4, 1942, and three Praja Mandal workers were arrested.⁶⁶ In Dungarpur a mass meeting was held on September 5, 1942,

63. B.D. Kela : Op. Cit., p. 243.

M.L. Sukhadia (Editor) : Op. Cit., p. 4.

Govind Sahai : 1942 *Ka Vidroha*, pp. 310-11.

Note : Shri Raghavachari of Mewar Government tried to belittle the importance of the movement by calling it a storm in a tea-cup. *The Administrative Report, Mewar State, 1939-42*.

64. "Praja Sewak", December 31, 1945.

Govind Sahai : Op. Cit., p. 310.

B.D. Kela : Op. Cit., p. 270.

"Kota Raj Patra", Extraordinary, 24 August, 1942.

"Kota Praja Mandal Patrika", No. 1, 23 Aug., 1942.

65. *Administrative Report, Sirohi State, 1941-42*, p. 19.

Shri Gokul Bhai Bhatt, in a talk with the Author on July 5, 1962.

66. Laxmidatt Kantia : *Shahpura State Praja Mandal Report, (July 1942 to June 1945)*.

Govind Sahai : Op. Cit., p. 310.

in which the 'Quit India' Resolution was strongly supported. Complete strike was observed in schools and markets and a procession was organised in the town of Dungarpur.⁶⁷

(e) *Movements in the years preceding Independence* : In 1944, a Civil Liberty Movement was organised by the Bikaner Rajya Praja Mandal in Bikaner State. A few leaders were arrested. On October 20, 1944, 'Bikaner Daman Virodhi Divas' (i.e., Anti-Oppression Day) was observed throughout Rajasthan.⁶⁸ In 1946, the Dungarpur State Praja Mandal launched a Civil Liberties Movement in the State of Dungarpur. The Government tried to suppress the movement with iron hands but failed. On the effective intervention of the Rajputana Regional Council of the AISPC, a settlement was arrived at between the Praja Mandal and the Dungarpur State authorities. Accordingly, civil liberties were granted and political leaders were released from jail.⁶⁹ In the same year (1946), the Bundi Rajya Praja Mandal observed a 'Responsible Government Day' on the 7th August.⁷⁰ In the beginning of 1947, the Bharatpur State Praja Parishad launched a movement for civil liberties and a responsible government.⁷¹

B. Reforms in British India and Their Effects

Constitutional and administrative reforms introduced in British India in the 19th and 20th Centuries contributed greatly to the establishment of representative institutions in Rajasthan. The passing of the Council Act of 1861, the Council Act of 1892 and the Minto-Morley Reforms of 1909 led to the establishment of Legislative Councils in British India and increased participation of Indians in them. Lord Mayo's Resolution of 1870, Lord

67. B.D. Kela, Op. Cit., pp. 274-75.

68. Ibid., pp. 206-7.

69. "The Amrit Bazar Patrika", May 13, 1946.

70. File No. C-12/10/Year 1945-47 *Mahkamahkas, Bundi State*; Letter of Bundi State Lok Parishad to the His Highness of Bundi, Oct. 9, 1946.

71. Chaturvedi : Op. Cit., p. 5.

D.N. Kachru : *Bharatpur Enquiry*, (1947).

Shri Raj Bahadur sent this information in a letter to the author.

Ripon's Resolution of 1882 and the report of Decentralization Commission of 1907, led to the establishment of local self-governing institutions in British India. These reforms stimulated a few rulers of Rajasthan States to introduce central and local institutions in their respective States. Montague's famous August Announcement of 1917 unleashed new constitutional and political currents in British India. In 1919, the Government of India Act was enacted. These constitutional reforms in British India stirred the imagination of the people of the States and the Rulers.⁷² The people were stimulated to demand the establishment of representative institutions. Some of the far-sighted rulers in the country thought that the Act of 1919 was a direct call for them to broaden the popular basis of administration. The rulers in Rajasthan, however, hardly took any steps in the direction of introducing constitutional and administrative reforms of any substantive importance.

In 1935, Provincial Autonomy was granted which gave a fair measure of political power into the hands of the people in British India. This intensified the demand for the establishment of representative institutions in the States. The reforms under the India Act of 1935 also helped in changing the outlook of Durbars in the States. Prior to the introduction of the Reforms of 1935 the rulers of the States depended solely on the support of the British Government for the maintenance of their power and dignity. But the plan of Indian Federation shook their confidence in the British Government. The reforms gave them a premonition of things to come. So the rulers realised that their future and salvation lay in gaining the support, goodwill and sympathy of their own people, and they sought these by granting the demands of the people for a share in the government of the State.

The accelerated pace of constitutional reforms in British India during the World War II and during the years preceding Independence had its inevitable influence on the people of the States and State authorities. The rulers of the various States saw

72. Ram Gopal : *Uttar Pradesh Rajniti, From Victoria to Nehru 1858-1947*, (1955), p. 399.



the powerful British Government yielding to the mounting public opinion. Some of the rulers could read the handwriting on the wall and deemed it proper to meet the demands of their subjects. Moreover, the decision of the British Government to quit India at the earliest possible date bewildered the rulers. They tried to safeguard their position by gaining public sympathy through the establishment of representative institutions. The intensive struggle for constitutional reforms introduced in British India gave strength to the people and their demands for the establishment of representative institutions were encouraged.

The establishment of an Interim Government at the Centre in British India in 1946 and the opening of the Constituent Assembly of India were of added significance. The participation of the representatives of the States of Bikaner, Jaipur, Jodhpur, etc., in the deliberations of the Constituent Assembly had its impact on the constitutional and administrative reforms in the States of Rajasthan. In short, the constitutional and administrative reforms of the 19th and 20th centuries in British India boosted up the people's demand for the establishment of representative institutions and provided the necessary stimulus to the rulers of the States to meet the demands of the people halfway, at least.

C. Influence of the Constitutional and Administrative Reforms in other Indian States

A few princely States, such as Mysore, Baroda, Travancore, Cochin and Hyderabad, enacted Constitutional Reforms Acts which had led to the establishment of legislative assemblies in these States. The Governments of these States also passed legislations for self-governing institutions. These acts of the Governments of the various states led to the people's participation in the governments of their States. This had its repercussions on the minds of the people and the rulers in Rajasthan. So the people became eager to acquire the status and position which their fellow beings were enjoying in the above-mentioned States and the rulers deemed it fit to introduce democratic institutions so as to keep pace with the progressive States.

D. Public Opinion for Representative Institutions

The demands made by the people and newspapers contributed a great deal in the establishment of representative institutions in the States of Rajasthan.

(a) *Demands by the people* : People had been demanding the establishment of representative institutions for a pretty long time. In 1920, the descendants of the former subjects of Jaisalmer State, who had migrated to Bombay, presented demands for administrative reforms and for the establishment of representative institutions in the form of a '*Mang Patra*' (i.e., letter of Demands)⁷³ before the Maharaja of Jaisalmer when he happened to visit Bombay. On September 12, 1927, the people of Jaipur State, in a mammoth gathering of 25,000 people, demanded the establishment of representative institutions.⁷⁴ On July 14, 1938, the people of Dholpur submitted an application to the Maharaja and requested him to establish a responsible government and an elected municipality in the State.⁷⁵ On August 2, 1946, the people of Bundi, in a mass meeting, demanded the establishment of a legislative assembly in the State of Bundi.⁷⁶

(b) *Demands by Newspapers* : Regional and national newspapers also put forth the demand for the establishment of representative institutions in the States. Advocating the establishment of representative institutions in the States the '*Indian Daily Telegraph*' wrote : "The Introduction of Representative Government into the Indian States suited to the special circumstances of each particular State, cannot result in any loss of power or dignity on their (Rulers) part. It will rather enhance their prestige and estimation in the eyes of the civilised world and enable them to assume the true leadership of India. Their powers will take deeper roots in the affection of their people."⁷⁷ Regional papers, such as '*The Tarun Rajasthan*', '*The Rajasthan*

73. "*Leader*", March 20, 1920.

74. "*The National Herald*", September 9, 1927.

75. "*Prabhat*", July 30, 1938, p. 2.

76. *Bundi Praja Mandal File*—Responsible Week celebration, 1946.

77. "*Indian Daily Telegraph*", September 11, 1927, p. 3.

Kesari', 'Praja Sewak', and 'Lokwani' on several occasions requested the rulers to establish representative institutions. 'The Tarun Rajasthan' in its issue of January 31, 1924, wrote : "In the interest of both the rulers and the people of the States, they should establish representative institutions in their respective States. The personal rule of Chiefs had robbed people of their elementary rights".⁷⁸

E. Demands by Political Organisations

The demands made and the movements launched by political organisations, regional as well as national, contributed greatly to the establishment of the representative institutions in the States of Rajasthan.

(1) *Regional Organisations :*

(a) *Praja Mandals* : During the thirties of the present century, the people of Rajasthan had learnt to undertake collective action. The Praja Mandals, as mentioned earlier, were established in the various States of Rajasthan "to achieve Responsible Government under the aegis of His Highness the Ruler".⁷⁹ The Mandals organised annual conferences in which resolutions were passed urging the rulers to grant responsible government and establish representative institutions in the States. Executive Committees of the Praja Mandals, too, adopted resolutions relating to the grant of responsible government and establishment of elected legislative assemblies and local self-governing institutions. (Details will follow).

(b) *Rajputana Central India Sabha* : In 1918, the Rajputana Central India Sabha was established 'to work for the betterment of the people of Rajasthan and Central India and to achieve the establishment of a responsible government'.⁸⁰ In the annual conferences of the Sabha, resolutions were passed urging the rul-

78. "The Tarun Rajasthan", January 31, 1924.

79. Gahlot and Varshney : Op. Cit., p. 69.

80. 'Report of the Rajputana and Madhya Bharat Sabha, 1937-38, p. 1. B.D. Kela : Op. Cit., p. 46.

ers of the States, particularly of Rajasthan and Central India, to grant responsible government and democratic institutions to the people of Indian States.⁸¹ Shri K. Kalyantri, the President of the Sabha, published, in 1936, a memorandum enlisting a few of the people's demands including the demand for elected legislatures and municipalities.⁸² The Sabha started publishing its monthly organ '*Rajasthan Kesari*' through which it propagated its ideals.

(2) National Organisations :

(a) *Indian National Congress* : The Indian National Congress was established in 1885. It took no interest in Indian States till the end of the first quarter of the present century. In 1928, there came a turning point in its policy towards the States. In that year the Congress passed a resolution urging the rulers to grant responsible governments to the subject people in the States.⁸³ The Congress assured the people of the States of its sympathy with and support to their legitimate struggle for the attainment of a fully responsible government in the States.⁸⁴ In 1929, the Congress, in its Lahore session, reiterated the need for responsible government in the States.⁸⁵ The Haripura session of

81. For example : (1) In the Second Session of the Sabha held at Amritsar under the Presidentship of Shri Girdhari Lal, a resolution was adopted in which the Sabha urged the Rulers of the States, particularly of Rajasthan and Central India, to grant responsible government to the people. (2) In 1944, on the occasion of the Sabha's Silver Jubilee, a resolution was adopted in which the rulers were urged to become constitutional heads and to hand over the real powers to the people.

Kela : Op. Cit., p. 48.

82. Kela : Op. Cit., p. 48.

83. Pattabhi Sitaramayya : *The History of the Indian National Congress*, Vol. I (1946), p. 329.

The Resolution reads : "The Congress urges on the ruling princes of the Indian States to introduce responsible government based on representative institutions in the States, and to issue immediately proclamations or enact laws guaranteeing elementary and fundamental rights of citizenship, such as right of associations, free speech, free press and security of person and property".

84. Baijnath Mahodaya : Op. Cit., pp. 37-38.

B.D. Kela : Op. Cit., p. 129.

85. Baijnath Mahodaya : Op. Cit., p. 38.

the Congress⁸⁶ was very significant as it gave a new turn to the relations of the Congress with the people of the States.⁸⁷ Henceforth, the Praja Mandals in various States were required to submit to the control of the Working Committee of the Congress.⁸⁸ The Haripura decision led to the active participation of the Congress in the affairs of the Indian States. The Praja Mandals became its agents in the States. The active support and sympathy of the Congress encouraged the Praja Mandals to intensify their struggle for the grant of civil liberties and responsible government.

The Congress leaders also started taking keen interest in the political activities of the Indian States and guided from time to time the political activities of the Praja Mandals. Congress leaders gave a message of hope and inspiration to the people and urged them to continue their fight for the attainment of civil liberties, responsible government and representative institutions.⁸⁹ The growing interest of the Indian National Congress in the political activities of the states had its effect on the rulers also. The rulers realised that sooner or later the Congress would be at the helm of affairs in India and, therefore, it was in their own interest to abide by the policies of the Congress.

86. The fifty-first session of the Congress met at Vithal Nagar, Haripura on 19th, 20th and 21st February, 1938, under the Presidentship of Babu Subhash Chandra Bose.

87. On this occasion Mahatma Gandhi observed : "Today, a remarkable awakening is taking place all over India, including the Indian States. We, on our part, must try to nurse it and cherish it and we must organise ourselves".

Pattabhi Sitarammayya : *The History of Indian National Congress*, Vol. II (1947), p. 79.

88. Ram Gopal : *Op. Cit.*, p. 395.

Pattabhi Sitarammayya : *Op. Cit.*, Vol. II, p. 80.

The fifth paragraph of this Resolution reads : "The Congress, therefore, directs that, for the present, Congress committees in the States shall function under the direction and control of the Working Committee".

89. In 1940, Pt. Nehru said : "The time of trial and testing will come soon enough. Work hard and get ready for it. The Indian States have hitched their wagon to the chariot of Imperialism. They have both had their day and will go together".

"*The Bombay Chronicle*", April 26, 1940.

(b) *Indian States Peoples' Conference* : In 1927, the Indian States Peoples' Conference was established with the object 'to attain responsible government for the people of Indian States through representative institutions.'⁹⁰ It gained strength from year to year and played a notable part in the growth of political consciousness and attainment of representative institutions in the States. Every year the Conference put forth demands for the establishment of responsible government and representative institutions and for the grant of civil liberties.⁹¹ In 1928, the Conference sent a delegation consisting of Prof. Abhayankar and Shri Mani Shanker to England to champion the cause of the people of Indian States.⁹² It also prepared a memorandum regarding the States Peoples' rights and circulated it among the members of the Round Table Conference.⁹³ In 1932, the Conference observed a 'States Peoples' Week' throughout India. About 25,000 signatures were obtained on a monster petition which was submitted to the Indian National Congress with the object to move the Congress to interfere in the affairs of the States and help the cause of the people by giving them moral support. During the Second World War it intensified its propaganda for the establishment of a responsible government through representative institutions. In 1945-46, the Subjects Committee of the AISPC declared that constitutional changes could be accepted only when they were based on a full responsible government in the States as an integral part of free India.⁹⁴ Besides advocating the grant of a responsible government and the establishment of representative institutions the AISPC served the cause of the people and stirred them to demand reforms in the administration of the States with its publications dealing with the treaties, engagements and sanads of the States. It also published the "Theory of the Direct Rela-

90. Bajinath Mahodaya : Op. Cit., p. 36.

Presidential Address of C.Y. Chintamani to the II Indian States Peoples' Conference, May 25, 26 of 1929.

Ram Gopal : Op. Cit., p. 393.

91. B.D. Kela : Op. Cit., p. 97.

92. Bajinath Mahodaya : Op. Cit., p. 36.

93. "*Indian Review*", April-May, 1931, p. 307.

Bajinath : Op. Cit., p. 41.

94. Mitra : *The Indian Annual Register*, Vol. I, Jan-June 1946, p. 363.

tions with the Crown," the pamphlets showing misrule in Bikaner and the Report on the Noomchana Massacre in Alwar State. In short, the AISPC played a prominent part in securing the establishment of representative institutions in the States of Rajasthan.

F. Advice of National Leaders to the Rulers of Indian States

In the wake of political and constitutional reforms in India, national leaders like Mahatma Gandhi, Dr P Sitarammayya and Acharya Kripalani advised the rulers of the States to grant responsible government based on elected institutions and also warned them of the consequences which might follow if this was not done. In the Second Round Table Conference, Mahatma Gandhi urged the princes to find a place for their people in any scheme that they might evolve⁹⁵ Acharya Kripalani once said : "The Indian princes will lose nothing by giving responsible government to their people. On the contrary, by taking such a step they may be able to continue their dynastic rule for a long time to come"⁹⁶ The rulers of the States were wise enough to take into consideration the advice and a few of them acted upon it and took steps to establish democratic institutions in their States

G. Advice of the Political Department and the Viceroy

During the Viceroyalty of Lord Minto it had been made clear to the rulers that they would not be forced to adopt British methods of administration and popular political institutions based on the Western ideals. But in the wake of the changing political situation the Government of India itself was forced to deviate from the above policy. The Political Department, the Viceroy and the political agents started advising the rulers to try to keep pace with the changing times. In 1919, Lord Chelmsford reminded the princes that the days of autocracy were gone and the

95. Bajjnath Mahodaya : Op. Cit., p. 41.

96. "The Hindustan Times", April 14, 1940.

time had come for substituting the government by the people for the uncontrolled authority of an individual sovereign.⁹⁷ In 1927, Lord Irwin advised the rulers of Indian States to reform their administration so that they might become true servants of the people.⁹⁸ In 1937, the Political Department of the Government of India sent a circular to the States to set up some sort of democratic institutions both at villages or district headquarters and the Centre.⁹⁹ In 1939, Lord Linlithgow said in Jaipur : "This is a period when old standards call in many cases for re-examination and adjustment in the light of circumstances, when throughout the world the ebb and flow of changing conditions is marked to a greater degree than has for many years been the case, when in all countries, the long view and long term planning have assumed an importance far greater than they have occupied even in the critical years of the post-war period."¹⁰⁰ Sir Arthur Lothian, the then Resident of Rajputana, speaking in Kota on March 5, 1941, said : "The time would now seem to have come for providing the administrative framework with the means of ensuring that the Government of the States be readily responsible to the people. Indian States cannot afford now to be Rip Van Winkles and let the tide of progress pass by them."¹⁰¹ All these pieces of effective advice stimulated the rulers to establish representative institutions in their States.

H. The Chamber of Princes and its Role

The Chamber of Princes, established in 1921, did its bit to

97. "Modern Review", Sept. 1927, p. 276.

98. Dr. Raghubeer Singh : Op. Cit., p. 328.

99. Reference to this Circular was found in the File—*The Annual Reports, The Panchayats and Community Department, Rajasthan, Jaipur, "Report on Panchayats in Rajasthan, 1950"*, p. 7.

(The author tried his best to find out the circular but could not get the original one either at Udaipur or at Bikaner.)

100. Speech of Lord Linlithgow at Jaipur on February 28, 1939 cited in *The Constitutional Reforms in Jaipur, Report of the Committee on Constitutional Reforms*, 1943, p. 8.

101. Speech by Sir Arthur Lothian, the Resident for Rajputana at the Kharita Durbar, held on the 5th of March, 1941, reported in the *"Administrative Report, Kota State, 1940-41"*, p. 4.

help establish representative institutions in the States. On January 18, 1946, the Chancellor of the Chamber made a statement regarding the introduction of constitutional reforms. The statement reads : "The object is to set up forthwith constitutions in which the sovereign powers of the Rulers are exercised through regular constitutional channels without in any way affecting or impairing the continuance of the reigning dynasty and the integrity of each State. There shall be popular institutions with elected majority to ensure close and effective associations of the people with the government of the State."¹⁰² The above declaration forms an important landmark in the history of India which hastened the establishment of representative institutions or reforms therein during the pre-Independence and post-Independence period.

I. Initiative From the Rulers

One of the many causes of the establishment of representative institutions in the States of Rajasthan was also the initiative of the rulers. Several factors were responsible for this initiative. Firstly, a few of the rulers of the States of Rajasthan, such as Maharaja Ganga Singh and Sadul Singh of Bikaner, Jaya Singh of Alwar and Kishan Singh of Bharatpur, were very far-sighted. They realised that the agitation for administrative and constitutional reforms in British India would necessarily have its repercussions on the minds of the people of the States and demand for constitutional reform would be made. Keeping in view the happenings taking place in the neighbouring States, these rulers could see that repressive measures were not effective enough in perpetuating the age-old ignorance and loyalty of the people. Therefore, they took some measures to meet the people half-way by establishing shadow legislatures or other democratic institutions. Secondly, the rulers also realised that a stable government in modern age needed the support of masses. In this connection the His Highness of Jhalawar observed : "The

102. "The Free Press Journal", April 3, 1947.
Baij Nath Mahodaya : Op. Cit., p. 58.

times are now long past when the police duties of the State were regarded as the be-all and end-all of the existence of the Government. According to modern conception, the State is the supreme guardian of the interests of the people, charged not only with the responsibility of maintaining what exists but also with the more important task of bringing about a healthy and happy growth in its body politic so as to ensure the progressive development of the physical, mental, moral and material conditions which warrant people's participation in the Government's responsibilities."¹⁰³ The rulers also realised that the existence of representative institutions was in their own interest because "the absence of all opportunity for the expression of the wishes of the people....deprive a well disposed government of all means of gauging popular sentiments whether it is legitimate and well disposed or subversive and evil-intentional."¹⁰⁴ Moreover, the promises made by the Durbars to the political officers and the people on the occasion of their coronation, the impact of Western education and Western travel, the growing strength of political organisations, national as well as regional, and the impact of constitutional reforms taking place in British India and Indian States outside Rajasthan, all induced the rulers of the States of Rajasthan to establish representative institutions in their States.

J. Contribution of Liberal Minded Dewans

It was just a coincidence that liberal and democratic minded Dewans were appointed in a few States of Rajasthan in the thirties and forties of the present century, *viz.*, Dr. Mohan Sinha Mehta (from June 1937 to August 1940 and 1944 to March 1947) in Banswara; Sir T. Vijayaraghavacharya (from 1939 to March 1947) in Udaipur; Sir Mirza Ismail (1942 to 1946); Sir V.T. Krishnamachari (1946 to 1949) in Jaipur, Sardar K.M. Pannikar (Foreign and Political Minister in 1936, and Prime Minister from 1944 to

103. "Indian India", New Delhi, Aug. 1943, p. 3.

104. File No. 5/13, Vol. I, *Miscellaneous Mahakma Khas, Government of Jodhpur*, Sir. D. Field, Prime Minister of Jodhpur, in a Note to the P.W.D. Minister, Jodhpur State, dated Nov. 26, 1937, p. 4.

1947) in Bikaner; C.S. Venkatachary (1946 to 1947) in Marwar and Shri K.P.S. Menon (1940 to 1943) in Bharatpur. These men, taught under Western educational system as they were, had faith in democratic institutions. They were of the opinion that the people should be given a hand in the administration of the State. This attitude helped in the establishment of representative institutions in the States. Under the guidance of these learned persons, Constitutional Reforms Acts and Local Self-Government Legislations were passed, worked upon and amended in the light of experience to suit local conditions. Much of the progress towards the establishment of representative institutions in Rajasthan was due to the reformative and democratic outlook of these experienced persons whose association and influence changed the attitude of the rulers also.

In the preceding lines we have discussed various factors responsible for the growing demand for representative institutions in the princely States of Rajasthan. All these factors may not be applicable to all States but many of them certainly contributed to hasten the birth and quicken the evolution of representative institutions in all States in one or the other form. Of all the circumstances responsible for the growing demand of representative institutions, the rapid pace of political events that were taking place in India in the forties of the present century, was of supreme importance because it contagiously influenced and in many cases inspired the happenings in the States of Rajasthan.

Having studied the circumstances which led to the establishment of representative institutions in Rajasthan, we now turn to study the growth of legislative bodies in the various States of Rajasthan in the next three Chapters.

PART TWO
LEGISLATURES

“To-day the problem of problems is that of the Indian States and the people of these States who have patiently submitted, too long already, to autocracy and misrule. They will submit no longer and from the Northern Himalayan passes to Kanya Kumari in the far South millions of them are awake and moving to that freedom which has been so long denied to them.”

—*Pt. Jawahar Lal Nehru*

“The State people are not satisfied with the assemblies of the nature of college debating societies. They desire such assemblies as would enable them to effect real transfer of power in the hands of popular ministries in place of the present ministries nominated by the Government.”

—*Manikya Lal Verma*
(Translated from Hindi)

“We want substance and not mere shadow. The substance of responsible government is that political power should not be in the hands of an individual because the power is of the people.”

—*J. L. Bajaj*

CHAPTER TWO

Historical Growth of State Legislatures in the Western Division of Rajasthan

(The States of Bikaner and Jodhpur)

BIKANER STATE

Introduction

The first decade of the twentieth century was one of great significance in the history of the Indian nation. Shri B. G. Tilak's five word slogan—"Swaraj is our birth right"—electrified the nation and metamorphosed the Indian National Congress. The birth of the Muslim League (1906) signified the beginning of communalism in India. The introduction of the Morley-Minto Reforms of 1909, led to the increased participation of the people in the government of the land. All these events were very significant but the princely States remained undisturbed by all these happenings around them. Only a few progressive personalities among the princes could foresee the trend of events to follow. The young Maharaja Ganga Singh of Bikaner was one of them. He possessed a keen insight into the ensuing political events which led him to grant, unasked for, a Representative Assembly to the people of the States of Bikaner in 1913.

Origin and Inception

A beginning in the direction of associating the people with administration was first made in 1908. In that year a few non-

officials were invited to the Annual Administrative Conference¹ in pursuance of the policy laid down by the Maharaja in the early years of his reign to bring the people into consultation with himself and the Government.² In 1912, the Maharaja took a further step in the direction of people's participation in the Government of the State. On September 12, 1912, the Maharaja, in his Jubilee Durbar speech, announced the institution of a Representative Assembly.³ The announcement was historic as it paved the way for the democratisation of the Government without any demand arising from the people of the State for it. Maharaja Ganga Singh's political conviction that 'the Rulers and the ruled have equal interest in the well-being of the State'⁴ and his foregone conclusion that 'sooner or later the demand for popular assembly will be put forward by the State's people,'⁵ helped him earn the credit of being the first ruler in Rajasthan to break

1. *Administrative Conference* : In 1905, a system of holding an Annual Land Revenue Conference was inaugurated. To this the 'Nazims' and the Heads of the Departments were invited. The Conference was empowered to discuss questions relating to the administration of the State of Bikaner. Feeling that something should be done to bring the people and the district-authorities into closer touch and to improve the general efficiency of the administration, the Maharaja enlarged the Annual Land Revenue Conference by adding some non-official members to it in 1908. The conference continued to function till 1931.
2. *Bikaner Golden Jubilee 1887-1937* : published by the authority of the Maharaja in 1937 and printed at the Times of India Press, Bombay, p. 55.
Four Decades of Progress in Bikaner : published by the authority of the Maharaja in 1937, printed at the Government Press, Bikaner, p. 67.
3. *Four Decades of Progress in Bikaner* (1937), 68.
Notification of 24th Sept. 1912.
File No. 307, Bikaner State Legislative Department, Bikaner.
4. Speech by Maharaja Ganga Singh on September 12, 1912, as reported in the *Administrative Report, Bikaner State, 1911-12*, pp. 3-7; *Four Decades of Progress in Bikaner* (1937), pp. 68-70.
 The speech reads : "My conviction that the Rulers and the ruled have an equal interest in the well-being of the State and that, therefore, as they prove themselves fit, the ruled have a right to have a progressive voice and share in the Government."
Four Decades . . . , p. 69.
Administrative Report, Bikaner State, p. 5.
5. Dr. Raghubir Singh : Op. Cit., p. 313. (Contd. on next page)

through the 'icy portals of personal autocracy to let in the ingress of democracy.'⁶

Constitution of the Assembly

Soon the Bikaner Edict of 1913, dealing with the constitution, powers and functions of the Assembly, was enacted and promulgated by the Maharaja on October 21, 1913.⁷ Accordingly, the Assembly was to consist of 35 members, 10 elected and 25 nominated.⁸ Of the 10 elected, three were to be elected by the 'Tazimi Sardars'* and the rest by the municipalities of the State.⁹ The Maharaja was to be the President of the Assembly.¹⁰ The Assembly was given limited powers of passing resolutions, of interpellating the Government and of passing legislations, subject to the right to veto by the Ruler.¹¹ The Assembly was also given power to discuss the State-Budget and make suggestions thereto.¹²

A Critical Study

Judged from the stand-point of democracy, it is clear that the form of Assembly was defective in several respects. Firstly,

(Continued from previous page)

Maharaja Ganga Singh, in 1912, openly said : "It is quite clear that any grievances and discontent in British India, still more anarchy and sedition, are bound sooner or later to spread to our States and to affect the Indian Rulers and their Government".

Mitra : *The Indian Annual Register* (1920), p. 189.

6. "*The Tribune*", November 14, 1913.

7. *Administrative Report, Bikaner State*, 1913-14, p. 34.

8. *The Bikaner Edict of 1913* : The Edict is included in the *Administrative Report, Bikaner State*, 1913-14, pp. 36-39, Article I. *Decades of Progress in Bikaner*, (1937), pp. 70-71.

* 'Tazimi Sardars' : Was an order of the feudal lords whose salute was received by the ruler standing.

9. *Rules for the Appointment, Nomination and Election of Members of Representative Assembly* (Issued on 10th November, 1913), p. 2.

10. *The Bikaner Edict of 1913*, Article 2(2).

11. *Ibid.*, Articles 4, 5 and 7(2).

12. *Four Decades of Progress in Bikaner*, pp. 71-72.

supreme power continued to remain vested in the Ruler or he retained with himself many over-riding powers.¹³ He had the power to make rules regarding the appointment, nomination and election of the members¹⁴; to decide the manner in which the business of the Assembly was to be conducted;¹⁵ to interpret the business-rules of the Assembly,¹⁶ and to summon or prorogue the Assembly.¹⁷ The Ruler in his discretion was also given the power to make law within the State without reference to the Assembly.¹⁸ Secondly, the composition of the Assembly was defective. The elected element was very insignificant. Women were not given the right to vote or to contest elections.¹⁹ Thirdly, the powers of the Assembly were subject to many restrictions. The Assembly was not given any powers to make law which affected (i) the prerogatives, the powers and the privileges of the Ruler or that of his successors or that of the ruling family, (ii) relations with the Government of India or any of the States in India, (iii) matters concerning the State Army, (iv) matters concerning Jagirdars.²⁰ Moreover, the Assembly was forbidden to consider any proposals affecting the public revenue, religion or religious rights and proposals repealing or amending the Bikaner Edict of 1913, without obtaining previous sanction of the Maharaja in writing.²¹ These limitations made the Assembly a very weak institution.

The defects mentioned above were undoubtedly present in the Constitution of the Assembly. A correct estimate of the Constitution of the Assembly, however, can be made only if we view it in the circumstances prevailing at the time. For centuries the tradition of Bikaner State was that of a military State. It

13. *The Bikaner Edict of 1913*, Articles 12 and 13.

14. *Ibid.*, Article 9(2).

15. *Ibid.*

16. *Ibid.*

17. *Ibid.*

18. *Ibid.*, Article 12.

19. *Rules for appointment, nomination and election of members of Bikaner Representative Assembly*, p. 3.

20. *The Bikaner Edict of 1913*, Article 6(i).

21. *Ibid.*, Article 6(2).

was only in the last quarter of the last century that the State started emerging from the feudal tendencies. Political consciousness had not dawned on the people and they were economically and educationally very backward. Moreover, the defects pointed out in the Constitution of the Bikaner Assembly were present in all the legislatures of British India and the Indian States at that time.

In spite of these defects, the establishment of the Assembly was an epoch-making event in the history of the State because the people were associated with the Government of the State for the first time. Moreover, the Assembly was the first of its kind in North India, devised, unasked for, as a token of the Ruler's solicitude for the welfare of the people. Dr. Raghubir Singh, commenting on the establishment of the Assembly, observed, "To us the steps taken by Maharaja Ganga Singh may appear very insignificant to-day but the fact remains that in the days when the Bikaner Representative Assembly was instituted it was a revolutionary step in the direction of Constitutional reforms not only in the history of Bikaner but in the history of Rajasthan too."²²

Inauguration of the Assembly

The Assembly was inaugurated on November 10, 1913.²³ All the members of the first Representative Assembly were nominated in spite of the provision for the election of 10 members.²⁴ This does not mean that the Maharaja was against the implementation of the election proviso of the Edict. The Maharaja wanted to start the Assembly in the beginning of 1913, but he could not do so as it was only in October, 1913, that the Edict was finalised. The rules and regulations for election were given final shape in November, 1913, and as the election would have resulted in further delay in the inauguration of the Assembly, Maharaja

22. Dr. Raghubir Singh : Op. Cit., p. 314.

23. *Administrative Report, Bikaner State, 1913-14*, p. 35.
Four Decades of Progress in Bikaner, p. 70.

24. *Administrative Report, Bikaner State, 1916-17*, p. 40.

Ganga Singh, in his anxiety to obviate delay in the opening of the Assembly, nominated all the members. The first elections to the Representative Assembly were held in the early part of the year 1916,²⁵ and the elected members took their seats for the first time in the Assembly on October 24, 1916.²⁶ In between November 1913 and September 1916, the Assembly met four times and transacted business for 5 days in all. Only forty-nine questions, relating to various aspects of the administration, were asked and, except one, all were answered by the Government. Fifteen resolutions were given notice of and they were all taken up for consideration. Of the fifteen resolutions, ten were passed and the rest were withdrawn after discussion by the movers. Three legislations were also passed in between 1913 and 1916. The Budget for the year 1915-16 was also presented to the Assembly. The Members of the Assembly discussed the Budget and made some suggestions.

Liberalisation of the Constitution of the Assembly

Maharaja Ganga Singh Jubilee Durbar speech of September 12, 1912, contained a promise for the liberalisation of the constitution of the Assembly. Speaking on the occasion, the Maharaja said : "I can safely promise for myself that should the time come for it, whether it be in five years or ten years or more, when the people have shown themselves fit for it, I shall be only too pleased to extend the powers and duties that are now proposed to be entrusted to the people's Representative Assembly."²⁷ So the Maharaja gradually took a few steps to liberalise the constitution of the Assembly in between 1917 and 1929, in order to keep his promise.

In September, 1917, the designation of the Representative Assembly was changed to that of the Legislative Assembly.²⁸ The

25. Ibid.

26. Ibid.

27. Speech of Maharaja Ganga Singh of September 12, 1912, reported in the *Administrative Report, Bikaner State*, 1911-12, p. 5.

28. *Four Decades of Progress in Bikaner*, (1937), p. 71.
Administrative Report, Bikaner State, 1916-17, p. 40,

size of the Assembly was also enlarged. The Assembly was to consist of 45 members—15 elected and 30 nominated.²⁹ Of the 15 elected members, 3 were to be elected by the *Tazimi Sardars* of the State from amongst themselves and the rest by the municipalities of the State.³⁰ In 1921, the number of the elected members was increased to twenty.³¹ The increased elected seats were allotted to the Zamindar Boards.* In 1927, the Maharaja relinquished the presidentship of the Assembly in favour of the Prime Minister.³² In 1929, the number of seats allotted to the Zamindar Boards was reduced to two and the seats thus saved were allotted to the District Board of Ganganagar.³³

A Critical Estimate

A perusal of the steps taken in between 1917 and 1929 towards the liberalisation of the Constitution of the Assembly reveals that the various advancements made in the direction of the reforms effected no substantial change in the basic composition, powers and functions of the Assembly. It is evident from the reforms granted that the promise to enhance the powers of the Assembly beyond the limits laid down in the Edict of 1913, was never fulfilled. It was true that Maharaja Ganga Singh took a step, in 1912, to associate the people with the task of the Government but it was also a fact that he was an autocrat. The Maharaja estab-

29. *Administrative Report, Bikaner State, 1917-18*, p. 44.

Regulation for the Nomination and Election of Additional Members of the Bikaner Legislative Assembly, 1917, Section I.

30. *Administrative Report, Bikaner State, 1917-18*, p. 44.

31. *Four Decades of Progress in Bikaner* (1937), p. 71.

* Zamindar Boards : The formation of Zamindar Boards was sanctioned in Oct. 1921 with the object that the Government might be in closer touch with the needs and aspirations of the cultivating class and the members act as representatives and spokesmen of the people of their 'ilaquas' in all matters pertaining to public welfare".

Four Decades of Progress in Bikaner", pp. 71, 77.

32. *Administrative Report, Bikaner State, 1926-27*, p. 71. "The Times of India", August 31, 1927.

33. *File No. 76—Regulation, Nomination and Election of Members, Bikaner Legislative Assembly* : Notification No. 8 December 7, 1929.

lished the Assembly with the object to seek the co-operation of the people in the advancement of the State and not to part with the authority. The beginning of the First World War, the launching of the Home Rule Movement, Montague's famous announcement of August 1917, Montague-Chelmsford Report, etc., unleashed new political currents in India. These new currents helped develop the demand for the establishment of effective democratic institutions which necessarily implied parting with power. The Rulers in Indian States were not prepared for it, least of all the Maharaja of Bikaner. Again, the intensive propaganda carried on in the Indian press against the person of the Maharaja and the Government caused great irritation to him.³⁴ These facts prevented the Maharaja from fulfilling his promise made in 1912 for enhancing the powers and position of the Bikaner State Legislative Assembly.

Political Awakening and Repressive Policy of the State Authorities

After 1920, the political situation began to change in the State. A '*Sadvidhya Pracharini Sabha*' was established to start a campaign against bribery and injustice.³⁵ Education had made also much headway. The number of schools and scholars, 121 and 5,747, respectively, in 1912,³⁶ increased to 195 and 11,478, in 1927.³⁷ In 1928, Dungar College came into being.³⁸ A few enthusiastic workers started taking part in the All India States Peoples' Conference. The people of the State started criticising the policies of the Maharaja and the Government. On December 29, 1931, a meeting was held at Churu where speeches were made criticising the State policy of increasing land-revenue. This

34. The same is evident from the Maharaja's speech at the proroguing session of the Legislative Assembly (December 19, 1929). The Maharaja described the propaganda as 'Malicious'.

Administrative Report, Bikaner State, 1929-30, p. 62.

35. *Bikaner Ka Rajnaitik Vikas*, p. 17.

36. *Administrative Report, Bikaner State, 1911-12, p. 44.*

37. *Administrative Report, Bikaner State, 1926-27, p. 80.*

38. *Administrative Report, Bikaner State, 1927-28, p. 66.*

was considered by the State as an attempt to subvert the established authority. Consequently, a few persons were arrested, prosecuted and jailed.³⁹ The Government of Bikaner State enacted the Bikaner State Public Safety Act (which came into force on July 4, 1932), the Press Act and the Registration of Societies Act to scotch fundamental rights of free speech, free association, publication, etc.⁴⁰ These Acts were so ruthlessly applied that the people became terror-stricken. They now began to regard the Bikaner State as a prison house.⁴¹ The citizens of Bikaner were forced to remain absolutely aloof from political activities for a number of years to come. Consequently, no public meetings were held till 1940.

Reforms of 1937

In 1937, the Maharaja announced, on the occasion of the Golden Jubilee, a few reforms in the Constitution of the Assembly.⁴² Accordingly, the size of the Assembly was enlarged. It was to consist of 51 members—26 elected and 25 nominated.⁴³ Of the 26 elected members, three were to be elected by the *Tazimi Sardars*, 10 by the State District Boards, 12 by the State municipalities and one by the Bikaner State Trade and Industry.⁴⁴ An analysis of the reforms announced reveals that the provision for the majority of the elected members was deceptive. Out of the 26 elected members, four members (three *Tazimi Sardars* and one representative of Trade and Industry) were bound to side with the official group of 25 members. It was indeed a tragedy that Maharaja Ganga Singh, who was the most experienced and foresighted among the then rulers of various states in Rajasthan, followed the policy of granting piecemeal and deceptive reforms in the era

39. "Karamvir", June 11, 1932.

"Free Press Journal", June 8, 1932.

B.D. Kela : Op. Cit., p. 204.

40. Sarangdhar Das : Op. Cit., p. 113.

41. Ibid.

42. Bikaner Golden Jubilee Boons, as reported in the *Administrative Report, Bikaner State*, 1939-40, 1940-41, 1941-42, p. 75.

43. *Administrative Report, Bikaner State*, 1939-40, 1940-41, 1941-42, p. 75.

44. Ibid.

of the inauguration of provincial Autonomy in British provinces. The reforms, thus announced, were implemented in 1942.⁴⁵ In 1943, the Maharaja died and with him the first era of the growth of legislature in the State of Bikaner came to an end.

Assembly at Work

A glance over the 30 years of the existence of the Assembly reveals that it was summoned for forty times in all and transacted business for eighty-six days only.⁴⁶ No definite principle was followed in the summoning of the Assembly. Sometimes only one session was summoned in a year and sometimes two and for a few years not even one.⁴⁷ The sessions of the Assembly were summoned as and when it suited the convenience of the Ruler or of the Government. Elections to the Assembly were not held at regular intervals. For example, the term of the 4th Assembly expired on October 31, 1924, but the elections were held in the beginning of 1926. The Assembly, within the limits of its powers, discussed the yearly State-budget, passed resolutions, used its right of interpellations and passed a number of legislations.⁴⁸ The composition of the Assembly, however, was such that the sentiments and grievances of the common people were hardly expressed by its members on its floor. It was a sort of a mock durbar in which the Maharaja presided on a special chair listening to the eulogies. The members spoke less relevant to the subject on the carpet and more in flattery of the Maharaja and hardly a note of dissent was ever heard in the Assembly.

New Era of Reforms (1943-45)

Maharaja Ganga Singh was succeeded by his son Shadul Singh

45. *The Government of Bikaner Legislative Assembly Proceedings*, November, 1942, p. 1;

Administrative Report, Bikaner State, 1939-40, 1940-41, 1941-42, p. 75.

46. *The Government of Bikaner Legislative Assembly Proceedings* from 1914 to 1942.

47. Findings based on the study of *The Government of Bikaner Legislative Assembly Proceedings, 1914-1942*.

48. For Details, see Chapter VI.

on February 2, 1943. His rule marked another significant epoch in the field of constitutional reforms in the State. By the time of the accession of Maharaja Shadul Singh to the throne, political situation had improved in the State to a considerable extent. The people were no more terror-stricken and the political activities began to take place freely. The Praja Parishad had started the spade-work for the achievement of its objectives of responsible government under the aegis of the Maharaja of Bikaner. The young Maharaja was wide awake to all these developments and on March 8, 1943 (On the occasion of Kharita Durbar), he promised to introduce a few constitutional reforms in the State at his earliest.⁴⁹ On another occasion (October 23, 1943), the Maharaja resuscitated his early promise made on March 8, 1943, for the liberalisation of the constitution of the Assembly.⁵⁰

Reforms of 1944-45

On November 10, 1944, the Maharaja announced the main outlines of the reforms to be promulgated.⁵¹ The outlines were : (i) Increase of the elected element with an elected majority; (ii) the appointment of the elected deputy president; (iii) enlargement of the powers of interpellation ; (iv) right to move adjournments ; (v) right to vote the budget of beneficial departments; (vi) the appointment of a Standing Public Accounts Committee ; and (vii) the appointment of under-secretaries to the Government from amongst the elected non-official members of the Assembly.⁵² Detailed announcement relating to the reforms, powers and responsibilities conferred upon the Assembly,

49. Speech of Maharaja Shadul Singh, March 8, 1943.

Press Message File No. 62 of 1943, 1944, 1945, Bikaner State.

The Maharaja said : "I entertain the ardent hope of seeing my people associated with the administration of the State in an ever increasing manner".

50. The Speech of Maharaja Shadul Singh in the Legislative Assembly, Bikaner, on October 23, 1943.

The Government of Bikaner Legislative Assembly Proceedings, October, 1923.

51. *Administrative Report, Bikaner State, 1942-43*, p. 151.

52. "*Bikaner Bulletin*", Aug. 1945, (Government Publication), p. 13.

was promulgated in the form of an Edict issued on January 1, 1945.⁵³

Composition of the Legislative Assembly

The Bikaner Edict, 1945, provided for a Legislative Assembly of 51 members, of whom 29 were to be elected and 22 nominated.⁵⁴ The elected members were to be elected by the *Tazimi Sardars* and the municipalities and district boards of the State as provided in the electoral rules. A candidate for election to the Legislative Assembly was to possess certain qualifications of age and property or education.⁵⁵ A person was to be disqualified from being chosen as a member of the Legislative Assembly if he was a government official, or of unsound mind, or an undischarged insolvent, or a dismissed person from the Government service, etc. The life of the Assembly was to be three years.⁵⁶ The President and the Deputy President were to be appointed by the Maharaja and were to hold office during his pleasure.⁵⁷

Powers and Functions of the Legislative Assembly

The Legislative Assembly was to have powers of interpellating the government, of passing resolutions, of moving adjournment motions, of passing legislation, and of framing rules and regulations for its business.⁵⁸ In the field of legislation it was given power to pass laws on all subjects and for all the people of the State

53. "Bikaner Bulletin", August, 1945, p.13.

54. *Regulations for the Nomination and Election of Members of Bikaner Legislative Assembly*, January 1945, pp. 1-3.

Bikaner Legislative Assembly Edict, 1945 and *Rules and Regulations made therein*, p. 11.

Administrative Report, Bikaner State, 1944-45, pp. 72.

55. *Bikaner Legislative Assembly Edict*, 1945 and *Rules and Regulations made therein*, p. 11.

Regulations for the Nomination and Election of Members of Bikaner Legislative Assembly, January 1945, p. 3.

56. *Bikaner Legislative Assembly Edict*, 1945 and *Rules and Regulations made therein*, Section 8, p. 3.

57. *Ibid.*, Section 10, p. 4.

58. *Administrative Report, Bikaner State*, 1944-45, pp. 72-74.

subject to the assent of His Highness the Maharaja.⁵⁹ But certain limitations were imposed on the Assembly's legislative powers. The Assembly was not to make any law affecting the prerogatives, rights, powers, duties and the privileges of His Highness the Maharaja, or of the members of the ruling family; or the Maharaja's relations with the British Government; or the Government of any State of India; or matters concerning the army of the State of Bikaner; or the control and the management of His Highness the Maharaja's household; or the succession to the thikanas, etc.⁶⁰ The assembly was not entitled to consider any proposal affecting the Edict of 1945, the religion or the religious rites and the public revenue, without obtaining previous sanction of the His Highness in writing.⁶¹ In the field of finance, the Assembly was given power to discuss the state-budget and vote the demands in respect of beneficial departments, e.g., Education, Health, Works of Public Utility, and Social Welfare.⁶² Some limitations were imposed on the Assembly's power of discussing the budget. It was not to discuss expenditure relating to the Devasthan, the Privy purse and the civil list of the Maharaja; the expenditure incurred in pursuance of treaties or formal agreements in force; the expenditure incurred by the ceremonial departments; and the expenditure relating to the ceremonies observed by the ruling family.⁶³

A Critical Estimate

There were several defects in the Edict of 1945. Firstly, the aristocratic class, though in a very microscopic minority, was given great weightage in the Assembly. The Rajputs were provided eight seats (3 elected and 5 nominated) with the freedom

59. *Bikaner Legislative Assembly Edict, 1945 and Rules and Regulations made therein*, Section 12.

60. *Ibid.*, Section 17(a).

61. *Ibid.*, Section 17 (b and c).

62. *Administrative Report, Bikaner State, 1944-45*, p. 73.

Bikaner Legislative Assembly Edict, 1945 and Rules and Regulations made therein, Sections 18 and 19(1).

63. *Bikaner Legislative Assembly Edict, 1945 and Rules and Regulations made therein*, Section 19(2).

Bikaner Legislative Assembly Rules, 1945, Clause 108.

to contest elections from district boards and municipal boards. Secondly, no provision was made to ensure fair representation to the agricultural class. Thirdly, minority communities, labourers, and women were not given any representation. Fourthly, equilibrium was not maintained in the representation of rural and urban population. Out of the twenty-six seats provided to the masses, only ten seats were given to the rural population. Fifthly, adult franchise and direct elections were not introduced. This deprived the Assembly of the privilege of being a true representative body. Members elected to the Legislative Assembly by district boards and municipalities could not claim to be the true representatives of the people for all these bodies had large number of nominated members and even elected members from these boards were not true representatives of the masses because they were not elected on the basis of adult franchise. Sixthly, sovereignty remained vested in the Ruler.⁶⁴ Seventhly, the State Executive was not made responsible to the Assembly. Eighthly, the Assembly was not granted full and effective powers in the field of finance and legislation. So many safeguards and reservations made the Legislative Assembly a very weak institution. The Ruler's power to enact law and restore grants refused or reduced by the Assembly, made the Assembly a crippled institution. In spite of all these shortcomings, the Edict was a marked improvement on the Edict of 1913, for two reasons. Firstly, it provided for the elected majority in the Assembly. Secondly, it provided for the appointment of under-secretaries to the Government from amongst the elected non-officials. The Edict, as such, could truly be regarded as the second mile-stone (the first was the Edict of 1913) in constitutional reforms in the State of Bikaner.

Popular Reaction

The above reforms granted by the Maharaja did not satisfy the people. The Maharaja's speech in the Coronation Durbar had assured the people that they would soon get increased share

64. *Bikaner Legislative Assembly Edict, 1945 and Rules and Regulations made therein*, Section 4, p. 2.

in the Government of the state. But the reforms, as embodied in the Edict of 1945, fell short of the people's expectations. The Working Committee of the Bikaner State Praja Parishad considered this scheme of reforms in its meeting of January 13, 1945.⁶⁵ The Committee disapproved of the reforms as they did not meet its objective of the achievement of a responsible government.⁶⁶ In the same meeting, the Committee adopted a resolution urging the Maharaja to establish an elected legislative assembly on the basis of adult franchise as a first step towards the establishment of responsible government in the State.⁶⁷

The Assembly at Work

The Government, unmindful of the people's reaction, proceeded ahead with the reforms. Elections to the Assembly were held in April, 1945.⁶⁸ The members to represent the 'Tazimi Sardars' were elected unanimously. Forty-five candidates contested elections for twenty-six seats provided to the district and municipal boards of the State. Out of 614 members of the Electoral College of the State municipalities and district boards, 555 members exercised their right to vote.⁶⁹ The nominations to the Assembly were completed by the 15th of May, 1945. The Assembly was formally opened on May 28, 1945, by the Maharaja.⁷⁰ It functioned for three years⁷¹ and was summoned five times in all and transacted business for 17 days only.⁷² The Assembly, in its restricted sphere, passed resolutions, enacted legislations,

65. "The Navjwan", January 31, 1945.

"The Kisan", Bharatpur, January 24, 1945.

66. Ibid.

67. Ibid.

68. File 66—Elections to the Legislative Assembly, 1945, Legislative Assembly Department : Reports of Elections, pp. 1-17.

69. Ibid.

70. "Bikaner Bulletin", August 1945, p. 7 ;
The Government of Bikaner Legislative Proceedings, May 1945, p. 1.

71. File No. 134—The Dissolution of the Legislative Assembly under the Edict of 1945, Legislative Assembly Department, 1948, p. 2.

72. Administrative Report, Bikaner State, 1944-45 ; 1945-46 and 1946-1947 (March).

passed the State budgets and interpellated the Government.⁷³ An analytical study of the proceedings of the Assembly reveals that the proceedings were on occasions very arbitrary and deliberate attempts were made to curb down the opposition. A few glimpses of the courage of the members were also visible on a few occasions. A few members criticised the Government policy vehemently and gave vent to the feelings and desires of the people.

Praja Parishad's New Demands

In October, 1945, the Bikaner State Praja Parishad served an ultimatum to the Maharaja either to accept their demand for (i) the dissolution of the existing Legislative Assembly, (ii) the establishment of a Legislative Assembly elected on the basis of adult franchise, and (iii) the appointment of a responsible government in the state; or to face a Satyagrah movement.⁷⁴ The Bikaner Government, fearing mass upsurge, put fetters on civil liberties. Public meetings and processions were banned.⁷⁵ To oppose this repressive step the people of Bikaner launched a peaceful struggle to achieve civil liberties in the beginning of 1946.⁷⁶ A mass meeting was held at Azad Park, Bikaner on June 4, 1946, in which the demand for the establishment of a responsible government was made.⁷⁷ Soon negotiations started between Mr. Ragubeer Dayal, the President of the Parishad, and the Maharaja and, as a result, the civil liberties were restored.⁷⁸

Further Reform

In order to meet the growing demands of the people for better constitutional reforms, Maharaja Shadul Singh, on June 21, 1946,

73. Details given in Chapter VI.

74. "*Navjyoti*", November 2, 1945.

"*The Hindustan Times*", November 10, 1945.

75. B.D. Kela : Op. Cit., p. 210.

76. "*The Vishva Bandhu*", March 20, 1946.

77. "*The Hindustan Times*", June 7, 1946.

B.D. Kela : Op. Cit., p. 210.

78. "*The Hindustan Times*", July 30, 1946.

announced his intention to establish responsible government in the State.⁷⁹ The announcement was of great constitutional significance, as it was for the first time that the Ruler of Bikaner State recognised the responsible government as his objective. Commenting on the announcement of the Maharaja, the 'Bombay Chronicle' observed : "The Maharaja of Bikaner's promise of responsible government for the State will be welcomed and its fulfilment watched with interest not only by the people of the State but by the people of India as a whole. . . ."⁸⁰

The announcement made on June 21, 1946, was followed by the proclamation of August, 31, 1946⁸¹ The Maharaja proclaimed three things : (i) scheme for the automatic attainment of a responsible government; (ii) his intention to reconstitute the Bikaner Legislative Assembly, and (iii) the appointment of a Constitution Committee and a Franchise and Constituency Committee to prepare a scheme of constitutional reforms in the State, to examine the question of suitable franchise and to suggest the demarcation of constituencies⁸²

The scheme announced by the Maharaja was halting and dilatory in nature. It fell short of public expectations. The procedure laid down for the installation of a responsible government was contrary to the Maharaja's announcement of June 21, 1946. The two committees were mainly composed of the officials and the vested interests. The Praja Parishad was given only one seat in it. So Shri Raghubeer Dayal Goyal commented : "I see that with the present declaration we achieve only a piece of what, and that too after a period of 14 months, British India obtained as early as 1937, and what the latter obtained in 1937, we are supposed to get in 1950"⁸³ On these grounds,

79. *Administrative Report, Bikaner State 1945-46, 1946-47 (March)*, p. 16.

80. "The Bombay Chronicle", June 25, 1946.

81. *Administrative Report, Bikaner State, 1945-46, 1946-47 (March)*, p. 17.

"Bikaner Bulletin", September, 1946, p. 6.

82. *Administrative Report, Bikaner State, 1945-46, 1946-47*, p. 17.

"Bikaner Bulletin", September 1946, p. 6.

83. "The Hindustan Times", September 5, 1946.

the Praja Parishad boycotted the committee. Despite the Praja Parishad's opposition, the committees carried on their work and on the basis of their recommendations the Maharaja framed and proclaimed the Government of Bikaner Act, 1947, on December 4, 1947.⁸⁴

Composition of the Legislature

The Government of Bikaner Act No. 3 of 1947, provided for a legislature composed of (i) the His Highness, (ii) the Raj Sabha, and (iii) the Dhara Sabha.⁸⁵ The Dhara Sabha was to be composed of 56 members, of whom 48 were to be elected on the basis of joint electorate.⁸⁶ Out of these 48, 3 seats were reserved for the depressed classes, 7 for the Muslims, and 3 for the Sikhs.⁸⁷ Besides this, the depressed classes, the Muslims and the Sikhs were entitled to stand and contest elections in the remaining general constituencies.⁸⁸ Out of the remaining 8 seats, four were to be allotted to the jagirdars, two to Commerce and Industries, one to the graduates and one to the labourers.

The Raj Sabha was to be composed of 32 members, of whom 17 were to be elected from the territorial constituencies, twelve from the special constituencies and the remaining three members were to be nominated by His Highness the Maharaja from amongst experts or persons with judicial or administrative experience or for other special considerations.⁸⁹ Of the seventeen territorial seats, 3 seats were reserved for the Muslims and 2 for the Sikhs. The Muslims and the Sikhs were at liberty to contest for other non-reserved seats. Out of the twelve special seats, four were to be allotted to the Jagirdars, four to Landholders, two to Commerce and Industries, one to Graduates and one to Women. Elections were to be held on the basis of joint electorates.⁹⁰ The

84. "*Bikaner Bulletin*", January, 1948, p. 11.

85. *The Government of Bikaner Act, 1947*, Clause 17(1).

86. *Ibid.*, Clause 17(2), Schedule I.

87. *Ibid.*, Schedule I.

88. *Ibid.*

89. *Ibid.*, Clause 17(2).

90. *Ibid.*, Clause 17(3).

life of the Dhara Sabha was to be 5 years.⁹¹ The Maharaja was to have the power to dissolve it earlier or to extend its life. The Raj Sabha was to be a permanent body but, as nearly as possible, one-third of the members of the house were to retire every four years.⁹² The Raj Sabha was to have elected President and Vice-President and the Dhara Sabha elected Speaker and Deputy Speaker.⁹³ The President of the Raj Sabha and the Speaker of the Dhara Sabha were to have casting votes. It was provided in the Act that there would be freedom of speech in the Chambers and no member should be liable in respect of anything said or any vote given by him in the Chamber or any Committee there of and no members should be liable to arrest or detention in prison under a civil process during the continuance of any meeting of the chamber of which he was a member.

Adult franchise was not provided for. A voter was to possess certain age and property or educational qualifications.⁹⁴ Different educational and property qualifications were prescribed for a voter of the Dhara Sabha and the Rajya Sabha.⁹⁵ A person was eligible for the election to the legislature if his name was in the electoral rolls for the house to which he wanted to be elected and had completed 25 years of age.⁹⁶ A person was disqualified for being chosen as a member of the legislature if he was of unsound mind or held any office in the civil and military service of the State or an undischarged insolvent, etc.⁹⁷

Powers and Functions

The Legislature was given wide powers in the field of legislation, finance and administration. It was granted power to make a law for the whole State.⁹⁸ It was given power to discuss the budget

91. Ibid., Clause 17(5).

92. Ibid., Clause 17(4).

93. Ibid., Clause 21.

94. Ibid., Clauses 41 to 58.

95. Ibid.

96. Ibid., Clause 26.

97. Ibid., Clause 27(1).

98. Ibid., Clause 30(1).

and vote it.⁹⁹ Certain restrictions, however, were imposed on its legislative and financial powers. It was not to make any law affecting matters like (1) the personal property, the privy purse, etc., of the ruler; (2) the matters concerning the Jagir and the Bikaner Army; (3) the conduct of a judge of the High Court; (4) the matters which were sub-judice.¹⁰⁰ The Legislature was not given powers to discuss expenditure related to the Ruler's privy purse, the royal family and the debt-charges for which the State was liable.¹⁰¹

A Critical Estimate

A detailed perusal of the government of Bikaner Act, 1947, reveals several defects in the reforms scheme of 1947. Firstly, in a democratic government the sovereignty resides in people but in the new Act sovereignty was retained with the Ruler. The basis of the constitution, as such, was neither the people's rule nor responsible government. Secondly, provision for two houses of the legislature was made in the Constitution Act which was not only defective but also a luxury for the state of Bikaner. Thirdly, composition of the Dhara Sabha was very defective; reactionary and mercantile forces were given heavy representation against progressive elements. It was impossible for any progressive legislation to pass successfully through such a House. An analysis of the election system and the study of the constitution reveals that out of eighty-eight members of both Houses, only 35 were to be elected and the remaining fifty-three were to be nominated. In this way the government tried to hoodwink the public by providing elected Dhara Sabha. Fourthly, adult franchise was not granted on the ground that it was to be the first case of direct election in the State.¹⁰² By that time, the Bikaner State had joined the Indian Constituent Assembly whose deliberations show that it accepted

99. Ibid., Clause 30(2).

100. Ibid., Clause 61.

101. Ibid., Clause 35(1).

102. "*Bikaner Bulletin*", January, 1948, p. 12.

the principle of adult franchise and, as such, the rejection of the principle of adult franchise in the aforesaid elections was not justified on any ground. Fifthly, special representation was granted to the Jagirdars and mercantile community in the constitution. These special privileges were a severe blow to the foundation of a people's government. Sixthly, the legislature was not given the power to increase or decrease the taxes. Expenditure on several subjects, such as the State forces and the Devasthan Department, was excluded from the purview of the Legislature.¹⁰³ Seventhly, Interim Government was not vested with the powers to hold elections. The structure of the Interim Government was very defective and there had to be no difference between the Interim Government and the Government existing at the time of proclamation of the new constitution. All these shortcomings made the new constitution very unprogressive. Criticising the new constitution the editor of 'Lokvani' (13-12-1947) observed : "The present changes in the administration, announced by the Maharaja of Bikaner, are very disappointing. It is no secret that the Dhara Sabha is only a show. It is grossly incorrect to say that the Dhara Sabha, constituted as it is on narrow franchise, heavy representation to the privileged class and special interests, with a faulty election system and with an unprogressive constitution, fully represents the public."

Popular Reaction

Constitutional reforms as embodied in the Bikaner Act of 1947, were not welcomed by the people and the political organisations of the State on the ground that they were meagre and disappointing. The Mt. Abu statement of June 21, 1946, and the Proclamation of August 31, 1946, had given hope and expectation to the people that the era of responsible government would be ushered very soon in the state. But their expectations were belied. The Praja Parishad, in a resolution passed in its meeting of December 18, 1947, observed : "The Government of Bikaner Act, 1947, embodying the new constitution for Bikaner State, is

103. *The Government of Bikaner Act, 1947, Clause 34(3).*

detrimental to the vital interests of the people and, therefore, unacceptable to them.”¹⁰⁴

Soon, negotiations started between the Ruler and the leaders of the Bikaner Praja Parishad on the reforms of 1947. As a result the Ruler agreed to appoint an interim government in the State and the Praja Parishad in return agreed to participate in the elections to the Legislature. The Interim Government was sworn in on March 18, 1948. September 23, 1948, was fixed as the date for the elections to the new Legislature.¹⁰⁵ When the preparations for the elections were halfway, the working committee of the Bikaner Praja Parishad, in its meeting of August 8, 1948, decided to boycott the forthcoming elections to the legislature on account of an alleged mischief in the preparation of electoral rolls and directed its nominee to resign from the Cabinet.¹⁰⁶ As a result of this situation, the election was postponed and the Interim Government was dissolved and the Maharaja of Bikaner asked the Government of India to send an I.C.S. Officer on loan to carry on the business of the government.¹⁰⁷ Thus, the enforcement of the new Act and the establishment of a Legislature under its provisions were deferred.

General Observations

The Bikaner Legislature had a chequered history of its evolution. It was the creation of Maharaja Ganga Singh's sweet will. The political situation prevailing at the beginning of the present century did not warrant the inception of a Representative Assembly in the State. However, Maharaja Ganga Singh, keeping in view the object of training the people in the art of representative government and the likely future developments, had taken this step. It was an experiment and like all other experiments, was full of hazards and difficulties; but the Maharaja thought it worth making. In between the two World Wars great constitutional strides were

104. "*The Hindustan Times*", December 28, 1947.

105. "*Bikaner State Communique*", September 1, 1948.

106. *Ibid.*

107. *Ibid.*

made in the British Provinces but Maharaja Ganga Singh, in spite of his vast administrative experience and continuous association with the constitutional reforms in British India, did only a little to give Bikaner Legislative Assembly its true form. With the death of Maharaja Ganga Singh the initiative for reforms passed into the hands of the people of the State. Political consciousness had developed under the direction and leadership of the Bikaner Praja Parishad. So the people started demanding reforms. Maharaja Shadul Singh was a liberal minded ruler. He was also influenced by the enlightened ideas of Shri K.M. Pannikar, the then Dewan of the State. The people's movement for civil liberties forced him to take steps in the direction of establishment of a responsible government and the reconstitution of the existing Legislative Assembly. But he was not in a position to take any drastic steps and convert the Ruler's autocracy into a constitutional rule overnight. The feudal element was very strong. The Maharaja had deep and age-old relations with the jagirdars and had to give weight to their thoughts and interest. The Maharaja tried to please both, the general public and the feudal lords, but did not succeed in pleasing either. With the emergence of free India, political advantage shifted to the side of the people and the Ruler had to yield to the wishes of the masses. The first half of the century had started with the initiative for reforms lying with the ruler but by its closing years the initiative for reforms had shifted on to the hands of the ruled.

JODHPUR STATE

Introduction

The evolution of the Legislative Assembly in the State of Jodhpur makes the most interesting and instructive reading of all the princely states of Rajasthan. Jodhpur State was more feudalistic than many other states. The Jagirdars and the Thakurs were very strong throughout the 19th and the first half of the 20th century and, in fact, were the virtual rulers of the land. Rajyaratna Sudhalkar, commenting on the nature of the political system in the State of Jodhpur, observed : "The form of Govern-

ment in Jodhpur is monarchic in character but the existence of the jagirdars has lent a feudal aspect to the administration."¹⁰⁸

Of all the States of Rajasthan, Jodhpur was, politically, the most awakened state. Political consciousness began to glow in the people of Jodhpur State in the last quarter of the last century. People started criticising the policy of the Government of Jodhpur State and launched an agitation to redress their grievances. In this connection Shri Jai Narayan Vyas observed : "There are evidences to show that political agitation started in the State of Marwar as early as 1880. The expulsion of Mr. Chandmal Manihar and Mr. Mool Chand Joshi was an event of great historical importance in the history of Marwar. Owing to the activities of the political workers in the State, questions were asked in the British Parliament about the administration of Marwar."¹⁰⁹ After this promising start, there was a gap in the political activities for the next thirty-seven years in the State.

Political Activities and Demands for Reforms

The establishment of the Marwar Hitkarini Sabha in 1917, flared up the political activities in the State of Jodhpur. As a result of the spade-work done by Shri Jai Narayan Vyas and others in the villages of Marwar, a wave of discontent and unrest started among the people against the State authorities and the Jagirdars.¹¹⁰ The people started demanding civil liberties and reforms in the State administration. On December 25, 1927, under the auspices of the Hitkarini Sabha, a public meeting was held in Jodhpur city in which demands were made for the freedom of speech and writing, the abolition of the Press Act, the reforms in administration, the grant of elected representative institutions in the State, etc.¹¹¹ In 1929, Shri Vyas and a few of his associates decided to hold a Marwar State people's conference at Nagaur

108. *Inside Jodhpur State* (Published in 1947 by the Secretary of Lok Parishads).

109. J.N. Vyas : *Jodhpur Rajya*, p. 7.

110. Miss N. Acharya : *Administration of Jodhpur State*, p. 306. (Unpublished Doctoral thesis).

111. *Ibid.*

under the auspices of the Hitkarini Sabha.¹¹² All conceivable political, economic and social reforms were made the subjects of the resolutions to be moved in the Conference. Leaflets and booklets were distributed in the villages to awaken political consciousness among the masses. The Government banned the Conference.¹¹³ This aroused Shri Vyas to indignation and he made a bitter attack on the person of the Maharaja and his Government in the "Tarun Rajasthan" of March, 1929.¹¹⁴ The agitators brought out a booklet entitled "Popan Bai Ki Pol" (i.e., Rule of Laxity) and distributed its copies among the masses.¹¹⁵ A few political workers, including Shri Vyas, were arrested, prosecuted and jailed.¹¹⁶ This repressive action of the Government was condemned by the press in India as 'medieval' and 'barbarous' ¹¹⁷

In 1931, a Marwar Youth League was formed.¹¹⁸ In its meeting of June 16, 1931, the Youth League decided to hold a Marwar State • People's conference.¹¹⁹ This conference was held at Pushkar under the chairmanship of Shri Jeetmal Lunia on November 24, 1931 ¹²⁰ The conference, in its resolutions, urged the Maharaja of Jodhpur to establish representative institutions.¹²¹ The Jodhpur State Praja Mandal, in its resolution of July 9, 1935, urged the Ruler of Marwar to give representative institutions to the people which might ultimately lead to the establishment

112. "The Young Rajasthan", September 29, 1929.

P V Mehta : Op. Cit., p. 388.

B.D. Kela : Op. Cit., p. 228.

113. P.V. Mehta, Op. Cit., p. 388.

B.D. Kela : Op. Cit., p. 228.

"The Hindustan Times", September 20, 1929.

114. P.V. Mehta : Op. Cit., p. 388.

B.D. Kela : Op. Cit., p. 229.

115. Miss N Acharya: Op. Cit., p. 307.

116. "The Tribune", October 1, 1929.

117. "The Leader", October 31, 1929.

118. "Tyag Bhumi", June 19, 1931.

119. "Tyag Bhumi", June 10, 1931.

120. Shri Marwar Praja Parishad, p. 2.

"Tyag Bhumi", November 27, 1931.

121. Shri Marwar Praja Parishad, p. 2.

"Tyag Bhumi", November 27, 1931.

of a responsible government.¹²² The Government paid no attention to the demands of the people and put the Marwar Public Safety Ordinance of 1932, in force and curtailed the civil liberties of the people.¹²³ The Praja Mandal resented this derogatory step of the Government and started Civil Liberty Agitation in September, 1936.¹²⁴ The Government soon declared that the Marwar Praja Mandal and its branches were unlawful associations,¹²⁵ and arrested some of the eminent leaders like Achleshwar Prasad, Chagan Raj and others.¹²⁶ As a result, the movement gradually faded away.

The Prime Minister's Scheme of Reforms

The movement, however, forced the State authorities to think in the direction of giving the people some share in the government of the State. Mr. D.W. Field's note to the P.W.D. Minister of Jodhpur State is illustrative of the fact. It reads, "...I have considerable respect and sentimental feelings for the ancient order both in this country and elsewhere. At the same time I cannot bring myself to disregard the futility and danger of ignoring or resisting a mass-movement, such as the demand of the masses for a share in their own Government. In other words, if we try to defend the last tory trench, we are threatened with disaster and, in other words again, what may be considered now as a boon and blessing may later be wrested from us with the curses and great loss of prestige to the governing body. The writing on the wall is plain; shall we be wise to continue to ignore it....?"¹²⁷

122. *Jodhpur Praja Mandal Minutes*, 1935-41 : Resolution No. 2, adopted on July 8, 1935.

123. B.D. Kela : Op. Cit., p. 229.

124. *Jodhpur Praja Mandal File* : Movement of 1936-37.

Jodhpur Praja Mandal Minutes, 1935-1941.

P.V. Mehta : Op. Cit., p. 416.

B.D. Kela : Op. Cit., p. 230.

125. B.D. Kela : Op. Cit., p. 230.

126. *File No. 5/13, Vol. I, Miscellaneous*.

Government of Jodhpur, p. 4.

127. *Ibid.*

Mr. Field circulated a scheme of reforms in the Council of Ministers.¹²⁸ In his scheme he proposed the establishment of Central and 'Hakumat' (district) Advisory Boards. He was of the opinion that 'Marwar is not at all ready for a legislative council or for the machinery of responsible government. Such institution would be graft from outside rather than genuine growth from within.'¹²⁹ As such, a committee of officials was appointed to go into the question of constitutional reforms and on the recommendation of the Committee, Maharaja Umed Singh approved of the establishment of Advisory Boards in the State with the object 'to associate the subjects of the State with administrative problems in an increasing degree and to afford them opportunities of receiving training in the working of democratic institutions.'¹³⁰

Constitution of Advisory Boards

The reforms provided for the establishment of a Central Advisory Board and District Advisory Boards.¹³¹ The Central Advisory Board was to consist of forty-two nominated members—thirty non-official and twelve official.¹³² A District Advisory Board was to consist of ten members, three officials and seven non-officials.¹³³ The Advisory Boards were to have powers to advise on education, sanitation, trade and commerce, development of industries, medical relief, public health, road development, economic well-being, social customs including social legislation, matters relating to local self-government, cattle breeding, etc.¹³⁴

128. Ibid., p. 6.

129. Ibid., p. 4.

130. *Administrative Report, Jodhpur State, 1939-40*, p. 115.
Village Panchayats and Advisory Boards in Marwar, (Government publication, 1938), p. 1. ; *File No. 4/10/Miscellaneous, Advisory Boards and Panchayats (Government of Jodhpur)* : Letter No. 287 of 28th November, 1938.

131. Ibid.

132. *Village Panchayats and Advisory Boards in Marwar*, p. 5 and Appendix 'A'.
Administrative Report, Jodhpur State, 1939-40, p. 115.

133. *Village Panchayats and Advisory Boards in Marwar*, p. 3.
Administrative Report, Jodhpur State, 1939-40, p. 188.

134. *Village Panchayats and Advisory Boards in Marwar*, p. 3.

The above reforms hardly gave anything to the people. It was clear from the constitution of the Advisory Boards that no real powers were given to these newly created institutions. It was clearly stated in the constitution that 'the resolution of the Boards shall be in the form of suggestions and recommendations,' and the Government was not bound to honour them. Moreover, the Board was not given any powers in matters relating to legislation, taxation and finance. Again, the composition of these Boards was very defective. The District Advisory Boards consisted of 3 official and 7 non-official members with an official President. Out of seven non-officials, two were to be the jagirdars, three agriculturists, one representative of labourers and remaining one, a representative from Trade and Commerce. Thus the three officials, two jagirdars and one trade and commerce representative, formed a formidable bloc in the Board and were sure to counter all proposals of popular nature. The same was the case with the Central Advisory Board. Out of forty-two members, twenty-three (twelve officials, eight from the Rao Raja, the Jagirdars and the landholders and three representatives of Trade and Commerce) were likely to oppose any progressive proposals.

The new reforms were soon given effect and Central Advisory Board was inaugurated by Lt. Col. Sir Donald Field on February 22, 1939.¹³⁵ The Board was dissolved in August 1940.¹³⁶ In its one year of life, only five sessions were held in which about 80 proposals relating to various subjects (such as water problems, reforms of education, improvement of agriculture and cattle breeding) were discussed.¹³⁷ Out of these eighty proposals, 66 were passed, 2 were lost, 9 lapsed and 2 were withdrawn.¹³⁸ The Government took steps to implement only 13 proposals, relating to adulteration of food, child and ill matched marriages, water problem, reform of education, etc.¹³⁹ An analytical study of the proceedings of the Advisory Board reveals that the proceedings of the Board were very dull and

135. *Administrative Report, Jodhpur State, 1939-40*, p. 118.

136. *Ibid.*

137. *Ibid.*

138. *Ibid.*

139. *Ibid.*

could not arouse enthusiasm. It was just a show-piece of the government devised only as a safety-valve for the more vocal and politically minded people to give vent to their feelings.¹⁴⁰

The Reforms of 1939 could not satisfy the aspirations of the people owing to the shortcomings mentioned above. So the people, under the leadership and guidance of the Marwar Lok Parishad, continued to ask for better reforms. But the State-authorities did not pay any heed to the people's demand. On the contrary, the Government declared Lok Parishad as an unlawful association and arrested a few political workers under the Marwar Public Safety Ordinance of 1932.¹⁴¹ In order to oppose this arrogant step of the Government, the Lok Parishad started an agitation in the spring of 1940.¹⁴² The agitators held meetings and led processions. The people and the press in British India supported the political workers in the State. The leading members of the Lok Parishad were arrested. But the struggle continued all the same. Soon negotiations started between the Ruler and the leaders of the Lok Parishad. As a result, the movement was suspended in June, 1940.¹⁴³

Institution of the Representative Advisory Assembly

In December, 1940, the Maharaja of Jodhpur announced his intention to establish a Representative Advisory Assembly. He

140. *Village Panchayats and Advisory Boards in Marwar* : Note in letter No. C/2644, dated Dec. 8, 1937.

141. B.D. Kela : Op. Cit., p. 231.
The Government of Jodhpur Gazette (Extraordinary), March 25, 1940.

142. B.D. Kela : Op. Cit., p. 231.
P.V. Mehta : Op. Cit., p., 422.

143. The following were the main terms of compromise : (i) the Government recognised the Parishad as a popular democratic institution and agreed to register it; (ii) the Parishad was to make it clear in its constitution that its object was to get responsible government under the aegis of the His Highness; (iii) the Parishad could work for the attainment of such responsible government by all constitutional means and the Government promised to help it.

K.L. Vaidhya : *Progressive Jodhpur under the British Prime Minister Sir Donald Field*, p. 24.

appointed a Committee to work out the details of the scheme. The scheme, as proposed by the Committee, was considered and approved by the Maharaja in April, 1941.¹⁴⁴ The Representative Assembly was to consist of sixty-four members—forty-one elected and twenty-three nominated.¹⁴⁵ The Assembly was to have full and free powers of interpellation on the floor of the house with regard to education, medical relief, public health, sanitation, trade and commerce, customs, development of industries, rail and road transport, road development, development of mineral resources, water works, generation and distribution of power for household and commercial requirements, public amenities, economic well-being of agriculturists, forest-development, co-operative credit societies, cattle-breeding and improvement, and matters relating to the local self-government.¹⁴⁶

A perusal of the new scheme of reforms reveals several defects in it. Firstly, no powers, legislative or financial, were granted to the Assembly. In fact, the government only changed the nomenclature of the Central Advisory Board without making any substantial changes in its powers and functions. Secondly, the election system was defective. It was laid down in the constitution that 'for the purpose of election of members from the rural and urban constituencies, except Jodhpur town, the electorate were to be the elected panchas of villages and towns concerned. In Jodhpur proper elections were to take place on the basis of electoral rolls prepared by the Jodhpur municipality.'¹⁴⁷ At the time of the announcement of these reforms only the villages consisting of 1,000 people or more had village panchayats and, as such, only such villages got the power to elect a panch. According to the Village Directory of 1931, there were only 403 such villages in the

144. *File No. C/4/10, Vol. III, Miscellaneous—Representative Advisory Assembly, 1941-47* : Notification issued on May 27, 1941 ; *Administrative Report, Jodhpur State, 1940-41*, p. 123.

145. *Constitution of Representative Advisory Assembly*, (published in the Government of Jodhpur Gazette, dated May 28, 1941, p. 1322).

146. *Administrative Report, Jodhpur State, 1940-41*, p. 123; *Constitution of Representative Advisory Assembly*, (published in the Government of Jodhpur Gazette, dated May 28, 1941, p. 1322).

147. *Constitution of Representative Advisory Assembly* (published in the Government of Jodhpur Gazette, dated May 28, 1941, p. 1322).

whole of Jodhpur State. The population of these villages was only eight lac. Thus the franchise was very low. Moreover, out of 403 villages, the Khalsa villages numbered 84. In many of these Khalsa villages the panchas were the nominees of the government officers. In Jagir villages too, the people had no voice in the election of the panchas. The panchas were appointed by the Jagirdars. Such a system of election was enough to deprive the Representative Advisory Assembly of any right to represent the will of the people. Thirdly, the composition of the Assembly was defective. It provided for an elected majority but, in fact, the presence of 23 nominated members and 8 elected jagirdars made the elected majority a farce. This formidable block of 31 members was enough to block any progressive measure in the Assembly.

The Lok Parishad and the Reforms Scheme

The Lok Parishad, in its General Sabha meeting on June 22, 1941, carefully considered the scheme of the Representative Advisory Assembly. After a careful consideration of the scheme of reforms, it arrived at the conclusion that owing to some inherent defects present in the scheme the ultimate goal of the establishment of responsible government would not be possibly achieved.¹⁴⁸ The Lok Parishad proposed a few amendments to the reforms scheme,¹⁴⁹ e.g., (i) every village with the population of one hundred should be given the right to elect the panchas; (ii) the age limit for the eligibility for the membership of the Assembly be relaxed from 25 years to 21 years; (iii) the designation of the Representative Advisory Assembly be changed to the Representative Assembly and it should be given power to discuss the budget; and (iv) representatives of labour and agricultural classes should be nominated to fill the 9 seats provided to non-official nominated members.

148. *Marwar Lok Parishad File, for the year 1941 : Resolution No. 2.*

149. *The Marwar Lok Parishad File for the year 1941, Proposals for Reforms in the Constitution of the Representative Advisory Assembly.*

Reforms in Action

The Government did not pay any heed to the proposals put forward by the Lok Parishad and unmindfully proceeded forward with the scheme as originally devised. Left with no alternative, the Lok Parishad decided, in its meeting held at Phalodi on September 29, 1941, to boycott the election.¹⁵⁰ However, the elections were held as scheduled and from every constituency reactionary jagirdar members returned.¹⁵¹ Maharaja Umed Singh inaugurated the Assembly on January 15, 1942.¹⁵² Major Alington, Political Agent for the Western Rajputana States, was present on the occasion.¹⁵³ Sir D.W. Field, the then Chief Minister, delivered the inaugural address.¹⁵⁴ During the period from January, 1942 to 1945 the Representative Advisory Assembly of Jodhpur met 10 times, in all and transacted business for 64 days only. The members of the Assembly exercised their rights of interpellating the government to a great extent. About 498 questions relating to almost all subjects within the purview of the Legislature were asked and replied to by the Government. Several supplementary questions were also asked, e.g., on question No. 1 regarding the panchayat affairs, the members asked eight supplementary questions; on question number 10, regarding the relaxation of control over foodgrains, nineteen supplementary questions were asked. Notices were given for 403 resolutions and almost all were taken up for consideration. The resolutions related to various subjects, such as the appointment of an Educational Reform Committee, the prohibition of death feasts, the preparation of five year plans for rural reforms, the establishment of an Industrial Co-operative Bank in Marwar and the establishment of a T.B. Sanatorium. Of the 403 resolutions, 189 were passed, 149 withdrawn, 38 rejected, 13 not taken up for discussion and 4 partly passed and partly rejected. The

150. Ibid.

151. B.D. Kela : *Deshi Rajya Shasan*, p. 163.

152. *Administrative Report, Jodhpur State, 1941-42*, p. 138.

153. Ibid., pp. 137-138.

154. Ibid.

Assembly also approved a bill, The Marwar Livestock Bill, sent by the Government in 1945.¹⁵⁵

Movement for Responsible Government

In the beginning of 1942, the Lok Parishad put forth the demands for scrapping off the reforms of 1941 and for introducing new constitutional reforms which might lead to the establishment of a responsible government in the State.¹⁵⁶ Mr. D.W. Field did not care to look into the demands put forward by the Lok Parishad. As such, the Lok Parishad launched a Satyagrah Movement on March 20, 1942.¹⁵⁷ The Responsible Government Day was celebrated at the villages of Chandawal and Niama.¹⁵⁸ The State police tried to prevent the celebration by force and the people were lathi-charged. A few Lok Parishad workers were arrested.¹⁵⁹ The political prisoners observed hunger-strikes in the Jail. Shri Balmukund Bissa died under custody. Gandhiji sent Shri Sri Prakash and Kanhaiyalal Vaidhya to seek a settlement between the Lok Parishad and the State authorities.¹⁶⁰ By the efforts of Shri Sri Prakash and Shri Vaidhya a compromise was reached between the Lok Parishad and the State authorities on June 22, 1942.¹⁶¹ The Government allowed some relief to the prisoners and the political prisoners gave up their hunger-strike.¹⁶²

Commenting on the responsible government movement, Mahatama Gandhi said : "There is nothing in the demands that

155. *Jodhpur Government Representative Advisory Assembly Proceedings Report*, Vols. I to X.

156. K.D. Vaidhya : *Progressive Jodhpur under the British Prime Minister Mr. Donald Field*, pp. 2-3.

157. *Ibid.*, p. 4.

158. K.D. Vaidhya : *Progressive Jodhpur under the British Prime Minister Sir Donald Field*, p. 6.

Jodhpur State Archives, Haquikat Register No. 63, p. 418, cited by Miss N. Acharya : *Op. Cit.*, p. 316.

J.N. Vyas : *Responsible Government Campaign in Marwar*, p. 5.

159. *Ibid.*

160. *Ibid.*

161. K.L. Vaidhya : *Op. Cit.*, p. 6.

162. *Ibid.*

one can cavil at. There is nothing extravagant in them. They take note of the limitations of Rajputana States, whatever the cause thereof. It is for the compliance with these demands that Shri Jai Narayan Vyas and his companions are in Jail and Bissa lost his life. It is for that reason that many Jodhpuries including women, a strange sight in Jodhpur, have resolved to offer civil disobedience. Let me hope that the Jodhpur Durbar will satisfy the moderate demands of the Parishad and let me further hope that the people of Jodhpur having resolved upon achieving their purpose through suffering will not rest till they have reached their immediate goal."¹⁶³

The Reforms of 1944

The movement had its indirect moral pressure on the Ruler who appointed Rajya Ratna S.A. Sudhalkar, Chief Judge, Baroda High Court, as an Adviser for constitutional reforms in 1943.¹⁶⁴ The Lok Parishad submitted a reforms-scheme to Mr. Sudhalkar for consideration.¹⁶⁵ Mr. Sudhalkar submitted a scheme of reforms to the Government on September 10, 1944.¹⁶⁶ Sudhalkar Reforms-Scheme was approved of by the Maharaja with certain modifications and a Constitutional Act, known as the Government of Jodhpur Act, 1944, was passed.¹⁶⁷

The Act provided for a Legislature consisting of the His Highness and a Chamber to be known as the Jodhpur State Legislative Assembly.¹⁶⁸ It was to consist of fifty-two elected members, nine officials and a few ex-officio members.¹⁶⁹ The Chief

163. Cited by K.L. Vaidhya : Op. Cit., p. 30.

164. B.D. Kela : *Deshi Rajya Shasan* (1947), p. 164.

Addressing the Marwar Lok Parishad workers convention, Babu Sri Prakash observed : "The labour and sacrifices of the workers have been successful in as much as steps are being taken to establish responsible government in Marwar."

"*The Leader*", July 27, 1944.

165. *The Jodhpur Praja Mandal Deliberations*, 1944-47, p. 17.

166. *Administrative Report, Jodhpur State*, 1945-46, p. 85 (1949).

167. *Ibid.*

168. *The Government of Jodhpur Act*, 1944, Section 12, p. 3.

169. *Ibid.*, Sections 13 to 16.

Minister of Jodhpur State was to be the ex-officio Chairman of the Assembly.¹⁷⁰ The Deputy President was to be appointed by the Maharaja.¹⁷¹ The life of the Assembly was to be 4 years.¹⁷² The Assembly was to have powers to legislate for the whole State or any part thereof and for the subjects and servants of the Maharaja, wherever they might have been.¹⁷³ Certain limitations were imposed on the legislative powers of the Assembly. A few subjects, such as the State forces, the matters relating to the Maharaja's office and House Hold department, relations, conventions, treaties between the State and His Majesty, the King Emperor of India or the Government of India or of any State in India; the authority and position of the Maharaja and his royal family; the relations of the Jagirdars with His Highness and their personal or hereditary privileges, rights, status granted and recognised by His Highness, were excluded from the purview of the Assembly.¹⁷⁴ In the field of finance, the Assembly was given power to discuss and vote the State budget.¹⁷⁵ However, expenditure over certain subjects, such as the State Army, the salaries of the Chief Minister and other Ministers, the expenditure of the palace including the staff of the household of the Maharaja, were excluded from the purview of the Assembly.¹⁷⁶ Every male member who had completed 21 years of age and fulfilled certain educational or property qualifications was given the right to vote in the general territorial constituency.¹⁷⁷

A perusal of the Act of 1944, reveals several defects in the scheme of the Legislative Assembly. Adult franchise was not granted, the executive was not made responsible to the legislature, the proposal for an elected Chairman was not agreed to, and the powers of the Assembly were beset with so many reservations.

170. Ibid., Section 20, p. 4.

171. Ibid., Section 21.

172. Ibid., Section 17, p. 3.

173. Ibid., Section 23, pp. 4-5.

174. Ibid., Section 24, p. 5.

175. Ibid., Section 38, p. 9.

176. Ibid., Sections 39 to 43, p. 9.

177. *The Jodhpur State Electoral Rules*, 1946 (Published in the Government of Jodhpur Gazette, dated 16.11.1946), pp. 4-9.

All these defects made the proposed Legislative Assembly very weak. Shri Jai Narayan Vyas, commenting on the scheme of the Assembly, observed : "This Assembly is strange and is more or less like the advisory assembly. The Chief Minister is the President of the Assembly. He can reject a resolution passed in the Assembly and send back the passed bill for reconsideration. The ordinance-making power is also with him. He can have extra budget sanctioned without any reference to the legislature. He can nominate extra members in the Assembly for specific purposes and authorise them to vote. He can stop the debate. He can suspend the rules of business. One cannot move an adjournment without getting his previous permission. In short, he has more power than what Hitler had in the German Reich. Then there are so many restrictions on the members. They cannot discuss foreign relations and relation of the Jagirdars with the His Highness. They cannot discuss many budget items including the salaries of the Ministers. They cannot impose or increase taxes nor interfere in the borrowing of money or giving any pension, stipend, gratuities, etc. Payments to the jagirdars, the thikanedars, etc., also cannot be discussed on the floor of the Assembly. Not only this, we have separate electorates for Jagir and Khalsa area and this provision has been made even against the recommendations of Sudhalkar, just to give facility to the Jagirdars to send their men in more number."¹⁷⁸

In spite of the people's criticism, the Government of Jodhpur State decided to give effect to the provisions of the Legislative Assembly as laid down in the Government of Jodhpur Act, 1944. On October 24, 1945, an official was appointed to conduct elections to the Legislative Assembly.¹⁷⁹ In July, 1946, Assembly Electoral Rules were sanctioned by the Government of the State. It was notified to the public that elections would be held in March-April, 1947.¹⁸⁰

178. Cited in '*A Peep into the Causes for Starting a Campaign for Responsible Government in Jodhpur State*, (published by the Publicity Secretary, Marwar Lok Parishad, 1948), p. 8.

179. *Administrative Report, Jodhpur State, 1945-46*, p. 85.

180. *The Government of Jodhpur Gazette*, dated 16-11-1946. Notification for Elections.

The Act of 1947

On February 27, 1947, the Maharaja proclaimed a revised Constitution Act known as the Government of Jodhpur Act, 1947.¹⁸¹ But the composition, powers and functions of the Legislative Assembly remained unchanged except that the term of the Assembly was reduced from 4 years to 3 years and the nominated Deputy President was replaced by an elected Deputy President.¹⁸² After a detailed examination of the Act of 1947, the Lok Parishad and other progressive parties decided to boycott the elections because the reforms incorporated in the Act did not remove the obvious objections to the scheme.¹⁸³

Elections and Popular Reaction

In spite of the hostile attitude of the public, the elections were held in March/April, 1947, as scheduled. Out of 2,80,000 voters only 40,000 (i.e. 14.3%) exercised their right to vote. In April, 1947, the Marwar Lok Parishad convened a conference to oppose the newly established Legislative Assembly.¹⁸⁴ Besides the Lok Parishad, the Marwar Kisan Sabha, the Women's Association, the Railway Men Union and other associations participated in the conference. The conference adopted a resolution requesting the Maharaja to dissolve the undemocratic and reactionary Assembly, to appoint an interim government to carry on the administration, and to establish a constituent assembly elected on the basis of adult franchise to frame new constitution for the State of Jodhpur.¹⁸⁵ All this forced the Ruler to hold the reforms of 1947 in abeyance.

181. *The Government of Jodhpur Gazette*, dated 27-2-1947.

182. *The Government of Jodhpur Act, 1947*, Articles 21(1) and 24(2).

183. "*The Hindustan Times*", April 3, 1947.

184. *Jodhpur Praja Mandal File.—Assembly Opposition Conference, 1947.*

185. *Resolution Adopted in the Assembly Opposition Conference* (published by the Marwar Lok Parishad, 1947).

Inauguration of the Assembly and Subsequent Happenings

Maharaja Umed Singh gave up the ghost on June 6, 1947. He was succeeded by his son Hanumant Singh. People expected much of the young Maharaja as he promised to bring about administrative reforms which might result in the ultimate establishment of a responsible government.¹⁸⁶ But he acted otherwise. He dug out of its grave the Legislative Assembly and took steps to nominate a few members to the Legislative Assembly according to the provisions of the Act of 1947. The people of Jodhpur State sent a memorandum to the State authorities. This memorandum bore one lac signatures of the people expressing their disapproval of the elections.¹⁸⁷ But the Maharaja, notwithstanding the people's opposition, inaugurated the Assembly on November 17, 1947.¹⁸⁸ On November 29, 1947, the Secretary of the Jodhpur Socialist Party asked for the dissolution of the Legislative Assembly and for the establishment of a new Legislative Assembly elected on the basis of adult franchise.¹⁸⁹

In order to meet the demands of the people, the Maharaja proclaimed a few reforms on February 5, 1948.¹⁹⁰ The main reforms proclaimed were : (i) the appointment of a few popular ministers in near future; (ii) the establishment of a Constituent Assembly elected on the basis of adult franchise and joint electorate; and (iii) the appointment of a Committee to frame rules and regulations regarding the composition of the Constituent Assembly. The reforms proclaimed by the Maharaja did not receive the approval of the public as, in their opinion, it was a sort of conspiracy to save the feudalism and to keep alive the reactionary Legislative Assembly for the next four years. After a care-

186. *A Peep 'into the Causes for Starting a Campaign for Responsible Government in Jodhpur State*, p. 9.

187. *Ibid.*

188. *The Proceedings of the Legislative Assembly, Jodhpur State*, November, 1947, p. 1.

189. *The First Annual Report of Marwar Socialist Party*, pp. 5-6.

190. *A Peep into The Causes for Starting a Campaign for Responsible Government in Jodhpur State*, pp. 14-16.

ful consideration of the Maharaja's proclamation of February 4, 1948, the Lok Parishad, in its meeting of February 8, 1948, rejected the reforms contained in it.¹⁹¹ In a resolution passed on the same day it decided to launch a mass movement in the month of March, 1948.¹⁹² The Lok Parishad appointed an 'Action Committee' under the Chairmanship of Shri Jai Narayan Vyas to organise the movement and it suspended the Constitution of the Lok Parishad during the period of agitation. On the evening of February 8, Shri Vyas, by his letter addressed to the Maharaja, served one month's notice either to dissolve the existing Ministry and the Legislative Assembly or to face a Satyagrah to be launched on March 8, 1948.¹⁹³

The ultimatum had its inevitable effect. Negotiations were started and soon a formula for compromise was devised. It was decided to appoint an Interim Ministry of five members (including the Dewan of the State). This Ministry was to appoint a Constituent Assembly convertible into Legislative Assembly, later on.¹⁹⁴ On March 3, 1948, the Interim Government, with Shri Vyas as the Chief Minister, was sworn in.¹⁹⁵ A Committee was appointed to work out the scheme for the establishment of a Constituent Assembly.¹⁹⁶ Before the Committee could report anything, the State authorities decided to merge the State into the Union of Rajasthan (Jaipur). The decision, in effect, shelved the plan for the establishment of a Constituent Assembly.

General Observation:

The establishment of a Legislative Assembly in the State of

191. Ibid., p. 22.

192. "*Lokvani*", February 5, 1948.

"*Lokvani*", February 14, 1948.

193. *Two Letters from Shri Jai Narayan Vyas to Maharaja of Jodhpur*: (published by the Secretary Lok Parishad, 1948), p. 1.

194. "*Lokvani*", Jaipur, 5-3-1948, p. 1.

"*The Statesman*", Delhi, 8-3-1948.

"*The Government of Jodhpur Gazette, (Extraordinary)*, 3-3-1948.

195. "*Lokvani*", March 5, 1948.

196. "*Lokvani*", May 21, 1948.

Jodhpur was not an easy job because of the perfectly feudalistic patterns that prevailed in it.¹⁹⁷ The Jagirdars, the nobles and the thikanedars, although small in number, were very strong. They ruled over 82% area of the State. They enjoyed absolute powers in their Jagir areas, dominated in the State Council and wielded a great influence on the Ruler. The presence of a powerful aristocratic class was also a great hindrance in the progress of constitutional reforms in the State. It was so powerful that the Ruler sometimes found it difficult to ignore their wishes. In 1944, Shri Sudhalkar, in his Constitutional Reforms Scheme, proposed one and the same franchise both for the Jagir and Khalsa areas but the Government modified the proposal and accepted the suggestions made by the Jagirdars' Association and granted separate franchise for the different areas. The Ruler of Jodhpur State, too, was not in favour of granting representative institutions. Maharaja Umed Singh once said : "The demand for a more liberal form of government in which the people are more freely consulted, is recent in this part of India.....I consider that after centuries of what may be described as a benevolent autocracy, it would be most unwise to advance in one stride to full parliamentary government, such as has been evolved after centuries of trial and error in England. My people need to be taught, for a few years to come, a civic sense and how to use responsibility."¹⁹⁸

Though Maharaja Hanumant Singh had declared time and again that he desired to grant a responsible government in the State, yet, in his heart of hearts, he was bent upon retaining the feudalistic pattern of the administration. This was proved by his action in Venkatachari Episode.¹⁹⁹ The continuous struggle launched by the people for about a quarter of a century,

197. There were 1,300 Jagirdars, in all, in the State.

198. Speech at a State Banquet on March 1, 1939.
Cited by Miss N. Acharya : Op. Cit., p. 320.

199. *Venkatachari Episode* :

Mr. C.S. Venkatachari was appointed as Dewan of the State by Maharaja Umed Singh for a specific period. But Maharaja Hanumant Singh sent Mr. Venkatachari back before the expiry of the stipulated period of his appointment. The Maharaja appointed his uncle as the Prime Minister and his younger brother, aged 20 years only, as Home Minister with 20 portfolios with him.

however, forced the Ruler to take steps in the direction of the establishment of Legislative Assembly in Jodhpur State. Shri Venkatachari played a conspicuous part in the establishment of Legislative Assembly in the State. The supreme sacrifice made by the people, the dynamic and unfailing leadership of Shri Jai Narayan Vyas and the unceasing resistance organised by the progressive political parties, eventually resulted in the establishment of the Legislative Assembly and Responsible Government in the State in the year 1947-48.

In the preceding lines we have studied the growth of the legislatures in the States of the Western Division of Rajasthan. Jaisalmer was the only State which made no progress in the field of constitutional reforms and where the Ruler continued to enjoy the slumber of medieval autocracy, thus keeping his subjects in utter ignorance. In the remaining two States, *viz.*, Bikaner and Jodhpur, constitutional development made appreciable progress. In the State of Bikaner, the Legislative Assembly had been established as early as 1912, by the Ruler's own free will. But in Jodhpur State the continuous struggle carried on by the Lok Parishad forced the State authorities to take steps in the direction of establishing the Legislative Assembly. During and after the Second World War political agitations for constitutional reforms in both the States of Bikaner and Jodhpur were intensified. Consequently, the constitutions of the legislatures were liberalised. The position, in 1947, was that the Jodhpur Legislative Assembly, established under the Government of Jodhpur Act, 1947, was more democratic and liberal than the Legislative Assembly of Bikaner State, established under the Edict of 1945. After Independence the political situation changed considerably and the struggle for the grant of responsible government was intensified in the States. Interim Governments were established in both the States of Jodhpur and Bikaner in the beginning of 1948. The Interim Government was dissolved in Bikaner State but it continued to function in Jodhpur till the State merged itself into the Union of Rajasthan in 1949. Owing to the changed political situation nothing could be done by the Interim Governments in the direction of establishing liberal and democratic legislatures in both the States.

CHAPTER THREE

Historical Growth of State Legislatures in the Southern Division of Rajasthan

(The States of Mewar, Shahpura, Sirohi, Banswara
and Dungarpur)

MEWAR STATE

Introduction

Mewar, known as, 'Medpat' in Sanskrit literature, was the premier State of Rajasthan, not by courtesy but by its glorious history and hoary antiquity. One of the remarkable characteristics of Mewar was its love of liberty. Even in the heyday of the British Rule, the tradition of love and liberty did not die out in Mewar. The people of Mewar were conscious of their rights and had the will and determination to oppose the tyranny of the foreign masters.¹ But they had implicit faith in and loyalty to their rulers whom they considered as the God incarnate. As such, any idea to oppose the tyranny of the prince and his order was foreign to them.

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1. In 1861, during the minority period of Maharana Shambhu Singh, the Resident of Mewar abolished the Regency Council and established a new Council on British pattern and introduced a few new legislations in the State. The people of Mewar revolted against these acts of the Resident. Under the leadership of Seth Champalal, the people went to the Residency. After great difficulty they were removed with the help of the Army. The Resident had to arrive at a settlement with the representatives of the people.

The Spread of Political Consciousness

This state of affairs did not persist for long and with the change of the 19th century, there came a change in the attitude of the people towards their ruler and the aristocratic class. The activities of Shri Vijaya Singh Pathik and his co-workers in the villages of Mewar helped in raising a wave of discontentment and unrest among the villagers against the State authorities and feudal elements. The Kisan Movements of Bijolian, Begun, Parasoli, Kachhola, etc., were launched to oppose the tyranny of the feudal lords and the ruler. The kisan movements, the trial of Shri Vijaya Singh Pathik,² the spread of education, the improved means of transport and communication, the infiltration of political ideas from the British India in the States, etc., helped develop political consciousness in the State. The people started resenting the unjust acts of the State authorities. In 1932, the people of Udaipur city opposed the levy of new taxes.³

In the wake of growing political consciousness there came into being the Mewar Praja Mandal in April, 1938.⁴ The object of the Mandal was 'to obtain responsible government under the aegis of the Maharana of Mewar'.⁵ The Praja Mandal, as pointed out earlier in Chapter I, launched a Civil Disobedience Movement in October, 1938. The Civil Disobedience Movement was suspended at the suggestion of Mahatma Gandhi on the 3rd of March, 1939, but the Government did not release the Praja Mandal workers for a few months and even after they were eventually released the Government did not remove the ban on Praja Mandal. The Movement helped in awakening the political consciousness in the people of the State.

2. Shri Vijaya Singh Pathik was prosecuted by the Government of Mewar in 1923, for his alleged activities of spreading discontentment in the people of the State against the Ruler and his Government. The trials were held at Chittor and lasted for 6 months. Shri Pathik was convicted and sentenced to four years' imprisonment.

3. P.V. Mehta : Op. Cit., p. 409.

4. M.L. Sukhadia, (Editor): Op. Cit., p. 1-2.

5. Ibid., p. 2.

Reforms of 1939

In June, 1939, T. Vijaya Raghvacharya was appointed as Dewan of the State. He was an enlightened and liberal minded person and had a great deal of administrative experience behind him. So he took many steps to modernize the administration. In November, 1939, he introduced a few administrative reforms. Accordingly, provision for the establishment of Central and District Advisory Boards was made.⁶ The Central Advisory Board was to consist of 35 members, excluding the Chairman.⁷ Out of these 35 members, 12 were to be official and the rest 23 were to be non-official members nominated by the Maharaja to represent (i) the Udaipur Municipality—2; (ii) District Municipalities—2; (iii) Jagirdars and Mafidars—6; (iv) Labour—1; (v) Agricultural class—4; (vi) other professions—5; and (vii) District Advisory Boards—3.⁸ Each District Advisory Board was to consist of a few official and other non-official nominated members. The Advisory Boards were to have powers to advise the Government on matters concerning education, sanitation, trade and commerce, development of industries, public health and medical relief, road-development, economic well-being of the agricultural class, social customs, panchayat affairs excise and customs and affairs relating to the Advisory Boards.⁹

Critical Estimate

A critical study of the constitution of the Central and District Advisory Boards reveals that their formation was defective. Apparently the principle of having non-official members in a majority was accepted but in reality the official group remained in majority in all the Boards. Of the 23 nominated members of the Central Advisory Board, 6 were Jagirdars and Mafidars who could be easily put into the official category so as to make it a formidable block against any progressive element. The same was the case

6. S.S. Kulshrestha : *Mewar ka Shasan Prabandh* (1943), p. 130.

Administrative Report, Mewar State, 1940-42, p. 41.

7. *Administrative Report, Mewar State, 1940-42*, p. 41.

8. *Administrative Report, Mewar State, 1940-42*, p. 42.

9. *Ibid.*

with the District Advisory Boards also. The elected element was not granted. The Boards were not given any powers in the field of finance and legislation. Their resolutions were to be in the form of recommendations and the Government was not bound to honour them. Such institutions, devoid of all authority, could hardly fulfil the aspirations of the people.

The Advisory Boards at Work

A Central Advisory Board at Udaipur and eight District Advisory Boards at the headquarters of eight districts of the State were established in the year 1940. The Central Advisory Board was formally inaugurated by Sir T. Vijaya Raghvacharya on May 22, 1940.¹⁰ In three years of its life, the Board met for 6 times and passed 93 resolutions¹¹ including one for the establishment of a responsible government in the State.¹² The District Advisory Boards met on occasions and discussed various matters and adopted a few resolutions concerning various subjects under their control. A careful study of the official records of the Central and District Advisory Boards reveals that the sessions of the Advisory Boards were mostly dull and could hardly arouse the enthusiasm of the members.

The Maharana's Announcement of 1940

The piecemeal reforms of 1939 could hardly attract the attention of the people. This led the Maharana to announce, according to the advice of Sir T. Vijaya Raghvacharya, in February, 1940, his intention to institute a Legislative Assembly in the State.¹³ He appointed a committee of seven members, headed by Thakur Gopal Singh of Badnor, to prepare a scheme of reforms.¹⁴

10. Ibid.

11. *Administrative Report, Mewar State, 1940-42*, p. 97.

12. *File No. I : Advisory Board & Legislative Committee, V.S. 1909-2000.*

13. *Administrative Report, Mewar State, 1940-42*, p. 42.

"*Sajjan Kirti Sudhakar*", Extraordinary, Feb. 22, 1940.

14. *Administrative Report, Mewar State, 1940-42*, p. 42.

The Gopal Singh Committee submitted its report on July 14, 1941.¹⁵ A Draft Mewar Legislative Act was framed and published on September 29, 1941, to sound the public opinion.¹⁶

Composition of the Proposed Legislative Assembly

The draft Act provided for a Legislative Assembly consisting of a President and 65 members, 39 elected and 26 nominated¹⁷. Of these thirty-nine elected members, thirty were to be returned by the general constituencies and the remaining nine by the special constituencies¹⁸. Out of the twenty-six nominated members twelve were to be the official members and fourteen to be the non-official ones¹⁹. A candidate to the Assembly was to possess certain age and property or educational qualifications²⁰. Persons who fulfilled certain property or educational, age and residential qualifications, were to have the right to vote²¹. The elections were to be held on the basis of joint franchise.²² The life of the Assembly was to be 3 years.²³ The president of the Assembly was to be appointed by the Maharana.²⁴ The Deputy President was to be elected by the members from amongst themselves.²⁵ The President was to have the right of casting vote in case of a tie.²⁶

Powers and Functions of the Proposed Legislative Assembly

The Legislative Assembly was to have powers to make laws

15. Ibid.

16. "*Sajjan Kirti Sudhakar*", Sept. 29, 1941.

17. *Mewar Legislative Assembly Constitution Act*, 1941, Section 3(1).

18. Ibid., Section 3(2).

19. Ibid., Section 3(3).

20. Ibid., Section 14.

21. Ibid., Section 16.

22. Ibid., Section 3(4).

23. Ibid., Section 4.

24. Ibid., Section 8.

25. Ibid.

26. Ibid., Section 12.

for the whole of the Mewar State or any part thereof, and for the subjects of the Maharana.²⁷ Certain limitations were imposed on the legislative powers of the Assembly. A few subjects, such as those relating to the ruling family of Mewar and the management of the household of His Highness; the relation of His Highness with the Crown, or with foreign Princes or States; matters governed by the treaties, conventions or agreements in force; the discipline and well-being of the state forces; the conduct of any Judge of the High Court in the discharge of his duties; and the amendment of the provisions of the Mewar Act, 1941, were excluded from the purview of the Assembly.²⁸ Previous sanction of the Government was to be obtained for the introduction of subjects relating to the public revenue, the religion or religious rights and usages of any class of His Highness's subjects, any Act or proclamation or order made or passed by His Highness in the exercise of his prerogatives, and the privileges of the members of the Legislative Assembly.²⁹ The members of the Legislative Assembly were to have the powers to ask questions and move resolutions on the matters of public importance provided that no questions were asked and no resolutions moved which affected the religious rights, usages, endowments, and personal laws of any community.³⁰ The Legislative Assembly was also to have the powers to discuss the budget and make suggestions to the Government.³¹

A Critical Estimate

The draft constitution had a few distinctive features, such as the provision for an elected Deputy President, an elected majority in the Assembly, joint electoral system with reservation of seats for the minority community, provision for the representation of special interests and the recognition of Hindi as official language. But the draft scheme of legislature, if examined according to the

27. *Ibid.*, Section 20.

28. *Ibid.*, Section 21.

29. *Ibid.*, Section 22.

30. *Ibid.*, Section 25.

31. *Ibid.*, Section 27.

basic canons of democratic constitution, reveals some defects. Firstly, the composition of the Assembly was faulty. An analysis of the constitution of the Assembly reveals that the provision of the elected majority was a great farce. Out of the thirty-nine elected members, nine were to represent the special interests. Out of these nine seats, seven were provided to the nobles, thakurs, and traders and industrialists. These seven members, along with twenty-six nominated members, formed a compact group of thirty-three members in the Assembly and were certainly to have all the strength to block any progressive measures. Secondly, adult franchise was not granted. Property and educational qualifications were kept high and, as such, the number of voters was to be necessarily small. Thirdly, legislature was not given power on the purse of the State. This was against all canons of constitutional theories. Fourthly, the legislative powers of the Assembly were hedged in with so many safeguards and reservations. The Prime Minister was armed with the power to disallow any legislation and to return the bill for reconsideration of the Assembly. Fifthly, there was no provision for an elected Chairman of the Assembly. Sixthly, the executive was not made responsible to the Assembly. Lastly, sovereignty remained vested in the Ruler.

There is no denying the fact that all the defects pointed out above were present in the draft scheme. But a correct estimate of the reforms can be made only if we consider them in proper perspective. Firstly, there was not a single state in Rajasthan which had a legislature enjoying full executive, legislative and financial powers. Though the Bikaner Legislative Assembly had been established as early as 1913, yet its constitution suffered from several defects even in 1941. In contrast with it, the draft Act provided for a Legislature which had the elected majority, the elected Deputy Chairman, etc. Secondly, the people of Mewar were politically not as enlightened as the people of British India. They were economically backward. Moreover, the feudal lords had great influence on the person of the Maharana and his Government. They were unwilling to introduce any such reforms as impaired their hereditary powers and privileges. The

Maharana and his Government were not in a position to disregard the sentiments of the feudal class as the Ruler had very old and inveterate relations with them. Thirdly, the aim of the proposed reforms was to associate the people with the Government of the State and not to establish a democratic or a responsible government in which sovereignty resided in legislature. Mewar State was a monarchic state in which the Ruler was supreme and the old order could not be changed at once. Viewed in the light of the above facts, the proposed reforms were a great advance because they envisaged the people's participation in the working of the Government for the first time. As such, the Ruler of Mewar deserved all praise for granting these reforms. It was also an example of his farsightedness and patriotism that he recognised Hindi as Official language as early as 1941.

The Mewar Praja Mandal and the Proposed Reforms Scheme

The Mewar Praja Mandal, from which the ban had been lifted in April, 1941, did not welcome the reforms as they did not meet its known objective of the establishment of a responsible government in the State. The Working Committee of the Mewar Praja Mandal considered the draft scheme and submitted a memorandum to the Government of Mewar indicating its opinion.³² In November, 1941, the first annual conference of the Mewar Praja Mandal was held at Udaipur and was inaugurated by Acharya Kriplani.³³ The Conference adopted various resolutions concerning the political, social and economic matters. In one of its resolutions, the Conference urged the Maharana of Mewar to establish an elected legislative assembly.³⁴ While the Government of Mewar was considering the draft constitution in the light of the public criticism and suggestions made thereon, the 'Quit India Movement' broke out in 1942.

32. M.L. Sukhadia : Op. Cit., p. 3.

"Lokvani", Second Annual Number, 1945-46, p. 33.

33. B.D. Kela : *Deshi Rayyon ki Jan Jagrti*, p. 242.

34. Ibid.

The Movement of 1942

The Mewar Praja Mandal also, as has been pointed out earlier, joined in the Quit India Movement. In a public meeting, held on August 21, 1942, the leaders of Praja Mandal urged the Ruler to secede his relations with the British Government. The Praja Mandal was declared an unlawful association and the prominent leaders were arrested by the Mewar Government. The citizens and students protested against this unjust act of the Government. Gradually the movement spread to all parts of the State. The movement had two-fold repercussions. Firstly, the Government shelved the draft Legislative Assembly Act of 1941.³⁵ Secondly, the movement created a great deal of political awakening in the people of the State. Consequently, the demand for constitutional reforms in the State increased so much so that, on October 23, 1942, the VI session of the Central Advisory Board unanimously adopted a resolution urging the Government to establish a legislative assembly in the State. However, the Government remained averse to the public demand and nothing happened in the direction of the constitutional reforms in the years that followed.

Changing Political Situation

The leaders of the Mewar Praja Mandal were released in February, 1944. The ban on civil liberties and the Praja Mandal continued till the beginning of 1945. When this ban was lifted, it focused its energies on constructive work. In December, 1945 and January, 1946, the ninth session of the All India States People's Conference was held at Udaipur under the auspices of the Mewar Praja Mandal and was presided over by Shri Jawahar Lal Nehru.³⁶ A Kisan Conference, a Students Conference, and a Women's Conference were also held at the same time.³⁷ All these created great interest in the public and helped flare up

35. "Lokvani", Second Annual Number, 1946, p. 33.

36. B.D. Kela : *Deshi Rajyon ki Jan Jigriti*, p. 243.

37. Ibid.

political consciousness. The demand for constitutional reforms was also boosted up by this political awakening. Moreover, the political situation in British India was changing rapidly and it served as a pointer to the events to follow.

Appointment of Reforms Committee

The State authorities were wide awake to all these political activities. So a Reforms Committee, under the Chairmanship of Shri Gopal Singh, was appointed in May, 1946.³⁸ The Committee consisted of eleven officials and non-official members, including five representatives of the Mewar Praja Mandal.

The Committee's Report and its Fate

The Committee submitted its report on September 29, 1946.³⁹ It recommended the establishment of a Constituent Assembly to frame the constitution of Mewar. The recommendations of the Reforms Committee reads : "Indian political situation has changed to a great extent as a result of the establishment of the Interim Government in Delhi, and of the announcement of the Cabinet Mission Plan. So it has become necessary for this State to prepare a constitution so that Mewar may become a unit in the federal set up of India. Such right in the opinion of this Reforms Committee can be exercised only by a Constituent Assembly duly elected by the people."⁴⁰

The Reforms Committee also submitted a scheme on the basis of which the Constituent Assembly was to be established. According to this scheme, the Constituent Assembly was to consist of fifty members elected on the basis of adult franchise, one each from a single member constituency consisting of fifty thousand people. The Maharana was to be its Chairman. The Assembly was to have powers to elect one of its members as Deputy Chairman and to decide its own procedure.⁴¹

38. *Alwar Praja Mandal File, 1946-48*: Letter No. Nil dated September 30, 1946.

39. Ibid.

40. Ibid.

41. Ibid.

The Gopal Singh Committee of 1946, also urged the Maharana to grant a responsible government and transfer his powers to the representatives of the people of Mewar.⁴² The Government of Mewar considered the scheme as proposed by the Reforms Committee and disapproved of it without assigning any reason.⁴³

Appointment of Popular Ministers in the Executive Council

The changing political situation in the country and the persistent demands of the people led the Maharana to appoint, in the month of October, 1946, Shri M.L. Sukhadia and Shri Hira Lal Kothari as two nominees of the Praja Mandal and Shri Raghubir Singh as one nominee of the Kshtriya Parishad to the Executive Council and he promised to introduce constitutional reforms very soon.⁴⁴ Accordingly, on February 16, 1947, the Maharana announced his intention to establish a legislative assembly and to associate the people with the administration of the State as early as possible.⁴⁵

The Reforms Committee of 3rd March, 1947

To fulfil his promise Maharana Bhupal Singh proclaimed some reforms on March 3, 1947.⁴⁶ In this proclamation he outlined a scheme of constitutional reforms. Accordingly, a Legislative Assembly, composed of forty-six elected and a few non-official members, was to be established. The members were to be elected on the basis of joint electoral system and adult franchise. The Assembly was to have the power to legislate on all subjects within the State not specifically excluded from its purview. It was to have powers to discuss and vote budget with certain limitations. The Ministers were to carry out the decisions of the legislature on matters which were not excluded from its jurisdiction.

42. Ibid.

43. "*The Hindustan Times*," 3-11-1946.

44. "*Navjeevan*", 1-11-1946.

45. "*Sajjan Kirti Sudhakar*", 16-2-1947.

46. "*Sajjan Kirti Sudhakar*" (Extraordinary), 3-3-1947.

In case of disagreement between the Legislative Assembly and ministers, however, the question was to be submitted to the Ruler for decision.

A Critical Estimate

The scheme of reforms was full of defects. The jagirdars and other vested interests were given higher representation. Out of the 18 seats allotted to the special interests, 13 were given to the jagirdars and other vested interests. The scope of the activities of the Assembly was restricted very much by reservations and safeguards. The President of the Assembly was to be nominated. The executive was not made responsible to the legislature.

The proposed reforms, when viewed in the circumstances prevailing at the time, reveal that the reforms were inadequate and did not fulfil the aspirations of the people. The people were aspiring for the establishment of a responsible government under the aegis of the Ruler but the proposed reforms did not fulfil their aspirations. The constitution of the Assembly was such that it was reduced to the status of a mere puppet in the hands of the Mewar Government. By now the political consciousness had developed in the people and they were as enlightened as their counterparts in the British India. It was an unpraiseworthy act on the part of the authorities of the Mewar State to propose such reforms at the time when other princely states were taking steps to replace the old order by the new one. It was, therefore, no surprise that the Executive Committee of the Mewar Raj Praja Mandal rejected the reforms.

The Munshi Constitution

In March, 1947, Sir T. Vijaya Bhagvacharya resigned on account of ill health. So Rao Manohar Singh of Bedla was appointed as the acting Dewan or Prime Minister of the State. According to the advice of Rao Manohar Singh, the Maharana of Mewar appointed Shri K.M. Munshi as his constitutional adviser.⁴⁷

Mr. K.M. Munshi drafted a new scheme of reforms and the same was promulgated by the Maharana on May 23, 1947, from Suraj Gokhra (i.e., the Sun balco 1v), exactly after 88 days of the Proclamation of March 3, 1947.⁴⁸ The chief features of the Munshi Constitution were that (i) it provided for the Rule of Law; (ii) it provided for the Pratap Vishva Vidyalaya; (iii) it provided for a Public Service Commission; (iv) it provided for the grant of fundamental rights to the citizens; and (v) it provided for a legislature elected on the basis of adult franchise.

Composition of the Legislature

The Legislature was to consist of (i) Shriji, the Maharaja of Mewar, and (ii) a single chamber to be known as the Mewar Legislative Assembly.⁴⁹ The Assembly was to consist of 56 members, fifty-one elected and five nominated (ex-officio). The five nominated members were to include the President of the Assembly, the Prime Minister of the State and three Ministers of the State. Of the fifty-one elected members, thirty-one were to be elected from general constituencies and 20 from special constituencies to represent the special interests, i.e., Jagirdars—10, Educated class—5, Trade and Industry—5. Out of the thirty-one general seats, two were reserved for the Muslims, two for the labourers and one for women.

Powers and Functions of the Legislature

The Legislative Assembly was to have powers to legislate on all subjects and for all people in the State not excluded from the purview of the Assembly. The following subjects were excluded : (i) His Highness's prerogatives, rights, powers and duties, privileges or status as the ruler of the State ; (ii) matters relating to succession and adoption; (iii) matters relating to Devasthan Nidhi; (iv) matters relating to Pratap Vishva Vidyalaya; (v) matters

48. B.D. Kela : *Deshi Rajya Shasan*, p. 168.

49. *The Constitution of Mewar State, 1947*, Sections 8-12.

relating to the conduct of a judge of the High Court in the discharge of his duties; (vi) matters relating to ceremonial relations of the Shriji with Umraos and Jagirdars ; (vii) matters relating to defence, external affairs, planning and developments.⁵⁰

The Assembly was to have powers to discuss and pass the budget. However, the expenditure relating to the following subjects was excluded from its jurisdiction:⁵¹ (i) The Pratap Vishva Vidyalaya; (ii) the privy purse and the allowances of the Shriji and the members of his family; (iii) the expenditure relating to any matter in respect of which the powers to make law were expressed to be vested in the Maharana.

A Critical Estimate

The provision for the constitution and powers of the Legislative Assembly, as embodied in the Constitution Act, was very defective and faulty. The Jagirdars, the Umraos and the capitalists were given very high weightage. People less than 500 in number were provided with twenty seats whereas the general public was given the right to elect one representative for every ninety thousand people. Moreover, the people of urban area were given more representation in the Assembly in comparison with the people of rural area. The people of Udaipur and Bhilwara, with the population of 76,000, were provided with 10 seats and the rest of Mewar with the population of nineteen lac was given only twenty seats. The provisions regarding elections were also defective. Discrimination was made in the method of election in rural areas and urban areas. Members from the urban areas were to be elected directly by the voters while members from the rural areas were to be elected indirectly, i.e., by an electoral college of panchas, who in turn were to be elected in the ratio approximately one to one hundred of the population of the constituency, on the basis of universal adult suffrage. The provision for a nominated President was also undemocratic.

The provisions regarding the powers and functions of the As-

50. Ibid., Article 8(4).

51. Ibid., Article 12(3).

sembly were also not free from defects. The Assembly was not to be a sovereign body. Sovereignty remained vested in 'Shri Parmeshwarji Eklingji Maharaja' and the 'Shriji', as his sole representative, was to exercise on His behalf all rights, authorities and jurisdiction.⁵² The powers and functions of the Assembly were hedged in with many reservations and safeguards. The subjects relating to the Pratap University, Devasthan Nidhi etc., were excluded from the purview of the Assembly.⁵³ The Shriji was given powers to disallow any legislation or administrative act which in his opinion tended to infringe the rights, authorities or jurisdiction reserved to, or vested in him under this constitution; the provisions for elections to the Legislative Assembly; and provisions of the constitution of Mewar.⁵⁴ Moreover, the Shriji had the powers to make laws and issue ordinances at the time of emergency. The financial rights of the Assembly were also not free from restrictions. Expenditure on several subjects was also excluded from its jurisdiction. The 'Shriji' was given power to restore the demand refused by the Legislative Assembly. The Maharana was given power during the emergency to authorise such expenditure as he deemed necessary for the safety and well-being of Mewar. The Assembly was given the power of interpellation but at the same time executive was not made responsible to it. All these defects made the Assembly a very weak institution.

The Munshi Constitution and Public Reaction

The constitution was severely criticised by the leaders of the Mewar Praja Mandal. Mr. M.L. Varma, criticising the constitution, observed : "The advice of Mr. Munshi shall not work in Mewar henceforth. Sir T. Vijya Raghvacharya gave two constitutions to Mewar, one was thrown in the wastepaper basket and the other in Pichola lake. Now is the turn of the Munshi Constitution. We do not know into which lake it will be thrown."⁵⁵

52. Ibid., Article 2(3).

53. Ibid., Articles 3 and 4.

54. Ibid., Articles 6 and 11.

55. *Mewar Praja Mandal File 24/2, 1946-48*—Speech delivered on the constitutional reforms in public meeting in Udaipur.

B.D. Kela : *Deshi Rajya Sashan*, p. 16.

Mr. Prem Narain Mathur also observed in the same vein : "In the Indian Constitution people are regarded as the source of sovereignty. Contrary to it, in the name of 'Eklingji', the sovereignty of Mewar is vested in one person. The people truly represent Eklingji. . . . The constitution is prepared by a person who is one of the pioneers of Indian National Movement. There is no provision for responsible government in the constitution. Instead of providing due representation to different classes and professions, it is reduced to a complete reactionary form."⁵⁶ The Mewar Praja Mandal, in its meeting of June 11, 1947, adopted a resolution expressing strong disapproval of the constitution. In the first part of the resolution, the Praja Mandal pointed out several drawbacks in the scheme and in the second part it outlined its future programme.⁵⁷

Amendments to the Munshi Constitution

Owing to its glaring defects, the people were not satisfied with the Munshi Constitution and they started demanding better reforms. At that time Mr. S.V. Ramamurti had just joined the State as Dewan. He advised the Maharana to amend the Munshi Constitution in the light of the public opinion. So the Maharana appointed Dr. Mohan Sinha Mehta to suggest essential amendments

56. *Mewar Praja Mandal File 24/2, 1946-48* : Speeches delivered on the Constitutional reforms, in a public meeting in Udaipur.

57. The resolution read : "It is astounding that the constitution makes no mention of the establishment of a responsible government as its aim. It declares that sovereignty should reside in the Maharana, fixes the privy purse of the ruler and his family at a very high figure, makes very inadequate, defective and vague provisions for fundamental rights, sets up irresponsible executive and powerless legislative assembly in whose composition great weightage has been given to landlords and jagirdars and some other special interests and lays down so complicated a procedure for amending the constitution that the real representatives of the people can never get it amended.

"Though the committee expresses strong disapproval of the new constitution, it has decided that Praja Mandal should take part in the coming elections under the new constitution and thereafter proceed to take all possible and practical steps to strengthen the struggle for the establishment of a full responsible government in the State so that, in place of this constitution, a constitution which will give full responsible government to the people of Mewar can be framed." "*The Hindustan Times*", 13-6-1947,

to the Munshi constitution. Dr. Mehta in consultation with the Praja Mandal leaders and the Kshtriya Parishad leaders, prepared a scheme of amendments to the Munshi Constitution and submitted the same to the Maharana. Consequently, the Maharana proclaimed the following amendments to the Munshi Constitution on October 11, 1947:⁵⁸ (i) Indirect elections in the rural areas were replaced by direct elections on the basis of adult franchise; (ii) it was decided to provide one representative for every sixty thousand people in place of ninety thousand as had been originally proposed; (iii) the method of the amendment to the constitution was simplified.

The Praja Mandal and Elections

The Mewar Praja Mandal decided to participate in the elections to the Legislative Assembly. It prepared an Election Manifesto in which it promised to achieve a responsible government: to establish elected municipalities; to abolish the jagir system; to increase the number of hospitals; to implement village reconstruction programme., etc.⁵⁹ Nomination papers for the elections to the Assembly were filled in and finalised by the 8th of February, 1948. Shri M.L. Sukhadia and four other Praja Mandal nominees were returned unopposed.⁶⁰

Efforts to set up an Interim Government

While the work of elections to the Assembly was going on, the Maharana, on March 6, 1948, proclaimed his intention to introduce both long-term and short-term reforms.⁶¹ He announced his intention to establish an Interim Government immediately and to establish a responsible government as soon as the elections to the Assembly were over. Soon the talks for the interim arrangements started between the State prime minister, Mr. S V.

53. "*Sajjan Kirti Sudhakar*", 11-10-57.

"*Lokvani*", 15-10-47.

59. "*Lokvani*", 18-2-1948.

60. "*Mewar Praja Mandal Patrika*", Extraordinary, 10-2-1948.

61. "*Mewar Praja Mandal Patrika*", February 8, 1948.

Ramamurti, and the State Praja Mandal representatives. After a few days of protracted negotiations an agreement was reached between the Mewar Praja Mandal and the Udaipur State Government for the formation of an interim cabinet in the State.⁶² Soon the Maharana, by issuing an extraordinary Gazette, announced his decision to reorganise his Council of Ministers on April 12, 1948, pending the completion of elections to the Legislative Assembly.⁶³ The Council was to consist of the Dewan, (ex-officio President of the Council), Shri Prem Narain Mathur (Chief Minister), Shri Hiralal Kothari, Shri Mohanlal Sukhadia, Shri Balwant Singh Mehta, Shri Raghubir Singh, Thakur Gopal Singh and Shri Jeevan Singh Chordia.⁶⁴ The arrangement, however, could not be effected on account of the decision of the State authorities to merge the State of Udaipur into the union of Rajasthan which was inaugurated by Shri Nehru at Udaipur on April 8, 1948.⁶⁵

Elections Postponed

The first round of elections started in Udaipur on April 4, 1948. When the elections were halfway in the city of Udaipur, the Praja Mandal decided to boycott the elections on account of alleged irregularities in the polling.⁶⁶ On April 5, 1948, a hartal was observed in the city.⁶⁷ The police opened fire on the people near Kotwali in which two students named Shri Shanti Lal and Shri Anandi Lal lost their lives and a few others were injured.⁶⁸ So in order to protest against the unprovoked and uncalled for firing, the Praja Mandal nominees, Shri Sukhadia and Shri Kothari, resigned from the Executive Council of the State.⁶⁹ The elections were postponed⁷⁰ and the Munshi Constitution was withdrawn.⁷¹

62. "*The Hindustan Times*", 28-3-1948.

63. "*Indian News Chronicle*", 25-3-1948.

64. Ibid.

65. Shri Prem Narain Mathur, in a letter to the author.

66. "*The Hindustan Times*", 7-4-1948.

67. Ibid.

68. Ibid.

69. Ibid.

70. Ibid.

71. Dr. Mohan Sinha Mehta, in a letter to the author.

General Observations

The evolution of legislature in the State of Udaipur was the product of cumulative effect of the growth of political consciousness, the work of the leaders, the role of feudal elements and the approach of the Ruler and his advisers and of the constitutional progress in the British India, specially in the post-war period. The growth of political consciousness created awareness in the minds of the people of their rights and roused the spirit to fight for them. The kisan movements of the twenties, the civil liberty movements of 1938-39, and the August movement of 1942, played a vital role in awakening the political consciousness in the State.

The leaders of the calibre of Shri Vijaya Singh Pathik, Shri Maniklal Varma, Shri Premnarain Mathur, Janardanrai Nagar, etc., played a leading role in the political awakening and constitutional progress in the State. The supreme sacrifice of Shri Maniklal Varma as well as of Shri Motilal Tejawat inspired the people to fight for their civil rights, and for a share in the government of the State. Shri Premnarain Mathur, a scholar and a politician, guided the policies of the Mewar Praja Mandal during the years of trial. He played a leading role on the Praja Mandal side in negotiating the constitutional reforms to be introduced in the State.

The feudal element was strong in Mewar throughout the 19th and the present century. The Thakurs and the Jagirdars wielded great influence on the Ruler and, therefore, on the administration of the State. Thakur Gopal Singh of Badnor, Rao Manohar Singh of Bedla, etc., had great influence with Maharana Bhupal Singh. The Thakurs and Jagirdars organised themselves into a political organisation known as Kshatriya Parishad, in 1945. The Kshatriya Parishad had deep bearing on the constitutional reforms introduced in the State.

The Maharana of Mewar, his successive Dewans and constitutional advisers played a vital role in the constitutional advancement of the State. Maharana Bhupal Singh was a great reformer. He took a few positive steps to reform his administration in the

early days of his reign. The appointments of Sir T. Vijaya Raghvacharya as Dewan and Shri K.M. Munshi⁷² as Constitutional Adviser speak volumes of the Maharana's good intentions and his faith in the democratic mode of living and ruling. But his physical disability was a great setback in his life. This compelled him to lean heavily on the advice of the members of his order, especially on Rao Manohar Singh of Bedla. Sir T. Vijaya Raghvacharya, Dr. Mohan Sinha Mehta and Shri K.M. Munshi played a significant role in the constitutional reforms introduced in the State. It was all due to Dr. Mehta's political insight and diplomatic ingenuousness that deadlock in the constitutional reforms in the Mewar State was averted and an agreement on the amendments to the constitution of the Legislative Assembly was arrived at in the State. However, it was indeed very unfortunate that the feast of the inception of Legislative Assembly was marred by the firing on April 5, 1948, as referred to earlier.

SHAH PURA STATE

Efforts for Reforms

The era of constitutional reforms began in the State of Shahpura in the year 1946. In that year Shahpura Praja Mandal, in its first conference held under the presidentship of Shri Gokul Lal Asawa, urged the Maharajadhiraj to establish a responsible

72. Shri K.M. Munshi was appointed Constitutional Adviser by the Maharana on the advice of Rao Manohar Singh. Shri Munshi tried his best to keep his patron satisfied by providing several safeguards and reservations in the constitution to guard the interests of the feudal lords. The jagirdars felt very happy to have 10 seats reserved for them. But Shri Munshi had a long association with the All India National Congress and Freedom Movement launched by it. So he secretly inserted a phrase 'Land-holders' in place of 'Land-lords' in that clause of the constitution which dealt with the elections to the special seats reserved for Jagirdars and Zamindars. The feudal lords came to know of Munshi's trick when the Praja Mandal started registering those persons who had a property amounting to Rs. 3,000, as 'land-holders' and so voters for the special constituencies. But then it was too late to do anything.

These facts were revealed to the Author by Shri B.L. Panagariya in a talk on the 5th October, 1965.

government in the State.⁷³ Under the pressure of the people's demand the Maharajadhiraj, on October 9, 1946, appointed a Constitution Committee under the Chairmanship of Shri Gokul Lal Asawa to draft a Constitution for the State.⁷⁴ This Committee prepared a draft constitution for the State and submitted it to the Maharajadhiraj who approved of it on August 14, 1947, with some minor modifications.⁷⁵

The new Constitution provided for a Council of Ministers responsible to the Legislature, a Legislative Assembly elected on the basis of adult franchise, a High Court, and the fundamental rights of the people. The passing of the Constitution was a great landmark in the history of Shahpura State. The chief merit of the Constitution was that it provided for a parliamentary form of government in the State of Shahpura. Moreover, the nature of the government was also changed from absolute monarchy to that of constitutional monarchy.

Constitution of the Assembly

According to the provisions of the Constitution of the Shahpura State, the Legislative Assembly was to consist of twenty-one members elected on the basis of adult franchise according to the system of joint electorate.⁷⁶ The life of the Assembly was kept four years and its term was not to be extended but the His Highness had the power to dissolve it earlier.⁷⁷ The Assembly was to meet twice a year and not more than seven months were to elapse between its two sessions. The Assembly was to have the powers to elect its Speaker and Deputy Speaker. These officers were to cease to hold office if they ceased to be the members of the Assembly or were removed from office by the Assembly or resigned their office in writing. The quorum of the Assembly was to be one-third of the total number of members.

73. *Shahpura Praja Mandal, Report of First Annual Conference*, 4th, 5th January, 1942.

74. "Shahpura State Gazette", 22-11-1946.

75. B.D. Kela : *Deshi Rajya Shasan*, pp. 175-76.

76. *Shahpura State Constitution Act, 1947*, Sec. 27.

77. *Ibid.*, Section 28(1).

Powers and Functions

The Assembly was to have wide powers in the field of legislation, finance and executive matters. It was to have power to legislate for the whole or any part of the State.⁷⁸ All bills passed by the Assembly were to become law on receiving the assent of His Highness. The Rajadhiraj was to have the power of returning the bill to the State Assembly with the message that the bill might be reconsidered in the light of his recommendations, and, when the bill was to be so returned, the Assembly was required to consider it accordingly. In the field of finance, the Assembly was granted powers to vote the budget.⁷⁹ Without its assent money could not be raised or spent. Besides this, the Assembly was to have vast powers of interpellation. The Cabinet was to be responsible to the Assembly. The Rajadhiraj was to be the Constitutional head of the State.

The Establishment of Responsible Government

The new constitution was inaugurated on August 15, 1947.⁸⁰ An Interim Government was set up with Shri Gokul Lal Asawa as the Chief Minister. A new era of responsible government was ushered in the State of Shahpura. Soon preparations started for the elections to the Assembly. When the arrangements for the elections were halfway, the Maharajadhiraj decided to merge his State into the Union of Rajasthan. So the elections were postponed and the legislature could not see the light of the day in Shahpura State. The Asawa Government did some useful work to ameliorate the conditions of the State people. It prepared a scheme of economic development. Accordingly, the State Government gave subsidies to peasants for the construction of wells, purchase of seeds and agricultural implements. The Government took steps to establish co-operative societies in the villages.

78. Ibid., Section 38(1).

79. Ibid., Section 39.

80. B.D. Kela : *Deshi Rajya Shashan*, p. 170.
"The Times of India", 13-9-1947.

ciently represented otherwise.⁸⁷ The non-official members were to hold office for two years. The Tehsil Advisory Committees were to consist of a few official and non-official members nominated for two years. The Committees were to have advisory powers in respect of education, sanitation, vaccination, medical relief, social customs, economic well-being of the agriculturists, rural uplift, cottage industries, trade and commerce, marketing problems, cattle breeding and improvement of livestock, road development and village panchayats.⁸⁸

A critical study of the constitution of the Advisory Committees reveals that their form was defective. Elected element was not granted in the Tehsil Advisory Committees. Although the principle of elections was granted in the Central Advisory Committee, yet the members returned by the Tehsil Advisory Committees and municipalities were not the true representatives of the people because these institutions had a large number of nominated members. The Committees were not given any powers in the field of legislation and finance. Their resolutions were always in the form of recommendations and it was not obligatory for the Government to honour them. The Committees, with all these limitations, were inaugurated in 1942.

The Committees at Work

The opening ceremony of the Central Advisory Committee took place on April 18, 1942.⁸⁹ This being the first occasion when the people were invited to advise in a constitutional way, the ceremony was attended by the people of the State in a large number. During its term of two years the Central Advisory Committee was summoned eight times.⁹⁰ It discussed and passed a few resolutions relating to the introduction of co-education, the opening of new subjects in the schools, the improvement of agri-

87. Ibid., p. 97.

88. Ibid., p. 96.

89. Ibid., p. 97.

90. *Administrative Report, Sirohi State, 1941-42*, p. 101.

Administrative Report, Sirohi State, 1942-43, p. 133.

Administrative Report, Sirohi State, 1943-44, p. 130.

culture, the prohibition of spending much money on marriage and death feasts, etc.⁹¹

Liberalization of the Constitution of the Central Advisory Committee

In 1943-44, the Maharaja, with a view 'to associate the people with the administration in an increased degree and to afford them ample opportunities of bringing their needs to the notice of Darbar', liberalised the Constitution of the Central Advisory Committee.⁹² Accordingly, the Central Advisory Committee was to consist of twenty-nine members—twenty-four elected and five officials.⁹³ Of the twenty-four non-officials, sixteen were to be elected from the Tehsils and Sirohi town on the basis of adult franchise, three from the municipalities of Sirohi, Abu Road and Pindwara, two from the jagirdar class, one from the chhutbhaiyas and two from other interests representing other communities not sufficiently represented otherwise.⁹⁴ Each Tehsil, except that of Sirohi (which was to elect two representatives), was to elect three members. Of the three members to be returned by each Tehsil on the basis of adult franchise, one was to be an agriculturist, one labourer and one other citizen. In Sirohi Tehsil, one was to represent trading interests and the other from the professional classes, such as the lawyers, doctors, engineers, etc. The three members of the jagirdars and chhutbhaiyas were to be selected from the panel to be prepared by each class and the remaining two members, representing interests not sufficiently represented otherwise, were to be nominated by the Maharaja on his own discretion.⁹⁵ The elections were held in the month of March, 1945. Two ladies were also returned to the Central Committee.⁹⁶ The Praja Mandal did not participate in the elections as the Advisory

91. *Administrative Report, Sirohi State, 1942-43*, pp. 133-134.

92. *Administrative Report, Sirohi State, 1941-44*, p. 8, 129.

93. *Ibid.*, p. 8.

94. *Ibid.*, 1929.

95. *Administrative Report, Sirohi State, 1943-44*, p. 130.

96. *Administrative Report, Sirohi State, 1944-45*, p. 86.

Committee was not given any substantive power.⁹⁷ The first session of the new reorganised Central Advisory Committee was held on May 5, 1945, and was addressed by Shri I.K. Pandya, the Chief Minister of the State.⁹⁸ He augured well of the future of the Committee which, he hoped, would become a Legislative Assembly in due course, provided it worked well and satisfied the Maharaja with its progress.

The Appointment of Constitution Reforms Committee

A further step towards the constitutional reforms was taken on September 30, 1946. A committee of seven persons, headed by Shri Mohabat Singh, was appointed to advise the State on the future constitution of the State, and other allied matters, such as franchise, constituencies and representation of special interests.⁹⁹ The Constitution Committee submitted its report to the Government in the beginning of 1947.¹⁰⁰ The Committee recommended for the establishment of a Legislative Assembly elected on the basis of adult franchise.¹⁰¹ The talks about the State's merger with the Dominion of India had already started. Therefore, the Government of Sirohi State postponed its decision on the reforms scheme.¹⁰²

In spite of the high percentage of literacy, the pace of constitutional and administrative reforms was slow in the State of Sirohi. One of its potent causes was the presence of strong communal feelings amongst the State people. The Praja Mandal had come into being in the State as early as 1939, but it could do little in the years that followed because the Mohammedans, the Vaishnavas and the Mahajans gave no support to its workers. It was only in the years preceding independence that the Praja Mandal was able to entrench its feet in the State but by that time the political situation had changed considerably in the country and there was very little left for the Praja Mandal to perform.

97. *Speech of Mr. Dharamchand Surana*, President of the IV Conference of Sirohi Praja Mandal, 13-5-1947.

98. *Administrative Report, Sirohi State*, 1944-45, p. 86.

99. *Administrative Report, Sirohi State*, 1945-46, p. 98.

100. Shri Gokul Bhai Bhatt, in a talk with the Author on July 5, 1962.

101. *Ibid.*

102. *Ibid.*

BANSWARA STATE

Introduction

At the turn of the last century, Banswara was one of the most backward states of Rajasthan. The people had traditional love, loyalty and respect for their ruler, who ruled over them absolutely. Political consciousness had not dawned on them. Education was still in its elementary stage and there were only a few schools in the State. The religious and social evils were in vogue. Economically the people were very backward. They had no means to satisfy even their basic needs. In the early years of the present century, an organisation called the 'Samp Sabha' had launched a socio-economic programme to ameliorate the condition of the masses. This had resulted in some awakening of political consciousness in the State and the people demanded a few reforms. The State authorities suppressed the demands of the people with iron hands and banned the Sabha. Thereafter, the people of the State became complacent and torpid again.

The Origin and Institution of the Rajya Parishad

In 1924, the Maharaja of Banswara took a few steps to reform the State administration. Accordingly, he established a Judicial and Legislative Council of 5 members to help enact law in the State and to act as a High Court.¹⁰³ In 1937, Dr. Mohan Sinha Mehta was appointed the Dewan of the State. He took steps to reorganise and reform the administration of the State on the modern lines. According to Dr. Mehta's advice, Maharawal Prithi Singh, on July 4, 1938, expressed his intention to convert the Judicial and Legislative Council into a Legislature for the State of Banswara.¹⁰⁴ This announcement was implemented without delay. On September 29, 1938, the Maharawal accorded his

103. *Administrative Report, Banswara State, 1923-24*, p. 6.

104. Birthday speech of the Maharawal, as reported in the *Administrative Report, Banswara State, 1937-38*, pp. 6-8.

assent to the Constitution Act, known as the 'Rajya Parishad Vidhan' of 1938.¹⁰⁵

Constitution of the Parishad

The Rajya Parishad was to consist of thirty-two nominated members—seven official, seventeen non-official and eight jagirdars.¹⁰⁶ Of the seventeen non-official members, seven were to be from the city of Banswara and the rest from the rural areas of the State.¹⁰⁷ The Dewan of the State was to be the ex-officio President of the Parishad.¹⁰⁸ The Rajya Parishad was given powers of interpellating the Government, passing resolutions and enacting legislation with the assent of the Ruler.¹⁰⁹ But some restrictions were also imposed on the legislative powers of the Parishad. The Parishad could not pass legislation affecting the rights, powers, and privileges of the Ruler or the ruling family; matters concerning the State, army and jagirdars, relations of the State with the Government of British India or with other States in India, etc.¹¹⁰

A Critical Estimate

A perusal of the composition, powers and functions of the Parishad reveals that it was a very weak institution. Its legislative powers were hedged in with many reservations and safeguards. The Parishad was not given any financial powers. The composition of the Parishad was very undemocratic because the elective element was not granted. Notwithstanding these shortcomings, the reforms introduced were of great significance for two reasons. Firstly, Banswara was a backward State of which sixty-three per cent population consisted of aboriginal tribes. Education had not made any progress. There existed only one High School at the capital and a few vernacular primary schools in other parts of the State. Ninety per cent of

105. *Administrative Report, Banswara State, 1937-38*, p. 13.

106. *Ibid.*

107. *Ibid.*

108. *Ibid.*

109. *Ibid.*

110. *Ibid.*

the population resided in the rural area and their economic condition was miserable. Political consciousness was at a very elementary stage and the majority of the people were unaware of changes taking place in the British India and other Indian States. People were not conscious of their right of having share in the government of the State. As such, the institution of the Rajya Parishad was a great step in the direction of associating the people with the administration of the State. Secondly, the reforms were introduced by the Ruler on his own initiative as a token of solicitude for the welfare of the people¹¹¹ and, as such, it was of supreme importance.

The Parishad at Work

The Rajya Parishad was formally inaugurated by Maharawal Prithi Singh on February 3, 1939.¹¹² During 1939-46, the Parishad was summoned for only 6 times and transacted its business for 12 days in all.¹¹³ It enacted a few social legislations, such as the Dapa Restriction Act, The Nuktas Restriction Act, Sanyas Diksa Restriction Act, the Child and Unequal Marriages Restriction Act, the Change of Religion of Minors Restriction Act. Besides enacting these legislations, the Assembly did not do any other work. The sufferings and grievances of the public were never ventilated on the floor of the Parishad. It was a show-piece of the Government where the members used to nod their assent at the government's behest.

Changing Political Situation and Demands for Reforms

Maharawal Prithi Singh died in 1946. He was succeeded by his son, Chandravir Singh. Between 1939 and 1946, the political

111. *Administrative Report, Banswara State, 1937-38, p. 13.*

112. *Administrative Report, Banswara State, 1938-39, p. 4.*

113. *Administrative Report, Banswara State, 1938-39, p. 11.*
Administrative Report, Banswara State, 1939-40, p. 10.
Administrative Report, Banswara State, 1940-41, p. 12.
Administrative Report, Banswara State, 1941-42, p. 12.
Administrative Report, Banswara State, 1942-43, p. 14.
Administrative Report, Banswara State, 1945-46, p. 17.

conditions changed considerably in the State. An appreciable progress was made in the field of education. The improved means of transport and communications opened the State for the British provinces and the other Indian States. Consequently, the political ideals and political agitations in the British provinces and other Indian States started influencing the State. Owing to this political awakening, a political association—The Banswara State Praja Mandal—came into being in 1942. Its activities helped develop political consciousness in the State. In 1945, the Praja Mandal put forth the demand for the establishment of a responsible government in the State.¹¹⁴

The Reforms of 1948

The young Maharaja was aware of all these changes and, as such, he decided to introduce a few constitutional and administrative reforms in the State. On April 18, 1946, the Maharaja, under the advice of Dr. Mohan Sinha Mehta, announced his intention to modify the constitution of the Assembly. Immediate steps were taken to implement this announcement and an Act, known as the Rajya Vidhan Act, No. 5 of 1946, was passed and promulgated.¹¹⁵ The Act provided for a Legislative Assembly of 35 members—thirty-two elected and three ex-officio ministers of the State Council.¹¹⁶ Of the thirty-two elected members, twenty-five were to be elected from general territorial constituencies and seven by special constituencies, viz., Graduates—1, Jagirdars and Mafidars—3, Commerce—1, and Artisans—2.¹¹⁷ The Act provided for the direct election of the Legislative Assembly. A voter was to possess certain age and property or educational qualifications.¹¹⁸ The Assembly was given powers of interpellating the government, passing resolutions and enacting legislation with the assent of the His Highness. The Assembly was given

114. *Minutes Book of Banswara Praja Mandal*, 1945-48.

115. *Minutes Book of Banswara Praja Mandal*, 1945-48.

116. *Banswara Rajya Vidhan Act*, 1946, Section 15.

117. *Ibid.*, Schedule 1, pp. 20-21.

118. *Banswara Legislative Assembly Rules for the Elections*, 1946, Sections 5, 6, 7.

powers to legislate on all subjects and for all the people of the State.¹¹⁹ Certain limitations, however, were imposed on the legislative powers of the Assembly. The Assembly could not legislate on the subjects affecting His Highness' prerogatives, rights, powers, duties, privileges, or status as the ruler of the Banswara State; the rights and privileges of the members of the ruling family; His Highness' relations with the British Government or the government of any Indian State; the discipline, control and maintenance of the State army, etc.¹²⁰ Previous sanction of His Highness was required to legislate on the subjects affecting the provisions of the Constitution Act of 1946, the revenue, the religion or the religious rites of the subjects of the Maharawal, etc.¹²¹ The Assembly was to have powers to discuss the budget.¹²²

A Critical Estimate

In spite of a few apparent shortcomings, such as the lack of adult franchise, absence of an elected chairman, presence of an irresponsible executive, exclusion of certain important subjects from the purview of the Assembly and lack of the power to vote the budget, the Act was a great landmark in the constitutional history of Banswara State. It was a marked improvement upon the Rajya Parishad Act of 1938. The Act provided for an elected Legislative Assembly at a time when the authorities of the other advanced states of Rajasthan were unwilling to do the same. Moreover, the constitution of the Assembly was such that the progressive elements had a fair chance to work for the welfare of the people of the State. Again, opportunity was kept open for the amendments to the Constitution Act by the Rajya Sabha itself after the expiry of its first term. In this connection the observations of Mr. Bhupendranath (Ex-Chief Minister of Banswara), made during the author's talk with him in 1963, are worth quoting: "The Constitution of Banswara State was a fairly good

119. *Banswara Rajya Vidhan Act*, 1946, Section 24.

120. *Ibid.*, Section 25.

121. *Ibid.*, Section 26.

122. *Ibid.*, Section 31(1).

document. It was a progressive one and was a great advance in the constitutional reforms in the State in the existing circumstances at the time."¹²³

Praja Mandal and the Reforms of 1946

The Praja Mandal, in its meeting of October 27, 1946, considered and discussed the reforms granted by the Rajya Vidhan Act of 1946.¹²⁴ It welcomed the establishment of the elected Rajya Parishad but expressed its resentment at not fulfilling its demand for the establishment of a responsible government in the State. On January 27, 1947, the Praja Mandal requested the Maharawal to accept a few demands to enable it to agree to the reforms proclaimed.¹²⁵ The main demands were : (i) The Maharawal and his government should give an assurance of not exercising their special rights provided by the Act; (ii) the State-budget should be put up before the Assembly for discussion and vote; and (iii) the Rajya Parishad should be given the right to amend the constitution even before the expiry of its first term. At the Praja Mandal's initiative, a meeting between the Chief Minister Dr. Mohan Sinha Mehta and the Praja Mandal leaders was held on February 16, 1947, and on the clarification and assurance given by the Chief Minister, the Praja Mandal decided to participate in the elections.¹²⁶

A Step towards the enforcement of the Reforms of 1946

The first round of elections to the Rajya Parishad started on March 9, 1947. The elections were postponed as riots broke out in the capital when the elections were halfway.¹²⁷ The elections were again held on September 20, 1947.¹²⁸ The candidates of the Praja Mandal were returned in majority.¹²⁹ The inaugural sess-

123. In a talk with the Author on 2nd September, 1963.

124. *Minutes Book, Praja Mandal Banswara, 1945-48.*

125. *Minutes Book, Praja Mandal, Banswara, 1945-48.*

126. *Ibid.*

127. *Ibid.*

128. *Ibid.*

129. Bhupendranath Dutt in a talk with the Author on 2-9-1963.

ion of the Legislative Assembly was held on March 18, 1948.¹³⁰ On March 19, 1948, Mr. Nanag Ram Trivedi, the then Secretary of the Praja Mandal, was elected Deputy President of the Assembly.¹³¹ It was decided to hold a Budget-session of the Assembly from March 30, 1948. But the session could not be held as the State authorities decided to merge the State of Banswara into the Union of Rajasthan (inaugurated on the 25th of March, 1948).

DUNGARPUR STATE

A Unique Assembly

Dungarpur State was one of the most backward States in Rajasthan. In the beginning of the present century, the conditions prevailing in the State were almost similar to those prevailing in Banswara State at that time. The 'Samp Sabha' tried to ameliorate the conditions of the aboriginal tribes in the first decade of the 20th century but its activities were not liked by the State authorities who banned the 'Sabha' and suppressed the uprising of the Bhils with iron hands. In 1918, the Maharawal of Dungarpur, of his own accord, took a few steps to reorganise the State administration. Accordingly, he established a 'Raj Shasan Sabha' composed of a few sardars, officials and principal citizens to work as a High Court of the State in civil cases and as a Session Court in the criminal cases.¹³² In 1936, the Maharawal entrusted the 'Sabha' with legislative work also. The 'Sabha' was given powers to pass legislations subject to their approval by the Ruler.¹³³ Between 1936 and 1946, the Sabha passed twenty-four bills which included The Dungarpur Guardian and Wards Act, The Dungarpur Majority Act, the Dungarpur Vehicles Act, The 'Kanoon Kasoti' Act,¹³⁴ etc. The 'Sabha' was a unique institution. It did not resemble either an advisory board or a

130. *Lokvani*, 20-3-1948.

131. *Ibid.*

132. *Administrative Report, Dungarpur State*, 1927-28, p.15.

133. *Administrative Report, Dungarpur State*, 1936-37, p. 27.

134. *Administrative Report, Dungarpur State*, 1938-39, p. 25.
Administrative Report, Dungarpur State, 1939-40, p. 28.
Administrative Report, Dungarpur State, 1940-41, p. 38.
Administrative Report, Dungarpur State, 1941-42, pp. 8-9
Administrative Report, Dungarpur State, 1942-43, p. 47.
Administrative Report, Dungarpur State, 1936-37, p. 27.

legislative assembly. It had both the judicial and legislative powers and its membership varied from year to year. People of the State had no representation and voice in the Sabha as it consisted only of the sardars, state officials and a few nominated non-officials. The constitutional reforms introduced in the other Indian States had no effect on the Ruler of Dungarpur State who continued to rule absolutely till 1948. The State Praja Mandal came into being very late in the State in 1945. It did some constructive work and launched a Civil Disobedience Movement in the closing months of 1945 to achieve civil liberties in the State. The movement continued for six months and was suspended only when the State authorities agreed to restore civil liberties. As a result of the activities of the Praja Mandal, political consciousness began to develop in the State people but before it could develop to the extent of giving rise to the demand for the establishment of a representative assembly and a responsible government, the State authorities decided to merge the State into the Union of Rajasthan, and, as such, the establishment of a legislative assembly remained a pious hope in the State.

In the preceding lines we have studied the growth of the legislatures in the Southern Division of Rajasthan. We have noted that efforts were being made in the States of Udaipur, Shahpura, Sirohi, and Banswara to establish legislative assemblies in the forties of the present century but it could see the light of the day only in Banswara State and that too, only for a day. The State authorities of Dungarpur, Pratargarh and Kushalgarh did nothing to establish legislatures in their respective States. The Dungarpur Raj Shasan Sabha, as has been pointed out earlier, was neither an advisory board nor a legislative assembly. The Rulers of Kushalgarh and Partabgarh did not take any steps in the direction of the constitutional reforms even during the period when great constitutional changes were taking place in India. They preferred to keep their people in the darkness of the middle ages and continued to rule absolutely till the States were merged into the Union of Rajasthan. In short, the Southern Division of Rajasthan lagged far behind the Western Division of Rajasthan as far as the growth and working of legislatures was concerned.

CHAPTER FOUR

Historical Growth of State Legislatures in the Eastern Division of Rajasthan

(The States of Jaipur, Kishangarh, Tonk, Alwar, Bharatpur,
Dholpur, Kota, Bundi and Jhalawar)

(A) J.K.T. REGION—JAIPUR STATE

Introduction

Dhundhar, better known as Jaipur State, was a progressive state even in the 19th century. Maharaja Ram Singh had introduced a variety of reforms, political, social and educational.¹ He organised the administrative machinery on progressive lines, established a second grade college (1844), and a school of Arts (1868), and opened a public library with a reading room (1866) in Jaipur.² The advancement of education, with the spirit of modernization of Jaipur State, resulted in the political awakening of the people. The Swadeshi and Boycott Movement (1904-1908) also had its influence on the minds of the people of Jaipur. Shri Arjun Lal Sethi and a few others started taking part in political activities. These activities were directed not against the Ruler of Jaipur State but against the British. The people were satisfied with their Ruler and had no grouse against the State authorities. This state of affairs could not continue for long and a change in the outlook of the people started to take place soon.

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1. A. Ahmed : *The Constitutional Development in Jaipur*, (1948), p. 1.
P.C. Jain, (Editor), Op. Cit., p. 27.
 2. R.C. Majumdar (Gr. Ed.), Op. Cit., p. 976.
P.C. Jain : Op. Cit., pp. 128, 137, 138.

Demand for Reforms

Political activities in British India had grown in dimensions after 1913. The Home Rule Movement, the Congress-League Pact of 1916, Montague's August Announcement of 1917, all had their repercussions on the minds of the people. A few branches of the Rajasthan Sewa Sangh were established in the Khetri-Sikar region of Jaipur State in 1920.³ The Khetri Kisan Movement helped in developing political consciousness in the people. By that time education had also made much headway and an enlightened minority started thinking in terms of having a share in the government of the State.⁴ Moreover, the policy followed by the Minority Administration dissatisfied the educated minority who started propagating the demand for administrative and constitutional reforms in the State.

Legislative Committee

Under the pressure of public demand Mr. Reynold, the head of the Minority Administration, established a Legislative Committee in September, 1923.⁵ The moonshine reforms that were introduced by the Government did not satisfy the people. For quite a few years the people had been demanding a share in the government of the State but the reforms introduced could not fulfil their aspirations. The Committee was almost composed of the official members with a slight non-official element, viz., one Jagirdar and one representative of the Local Bar Association. There was no representation of general public in the committee.⁶ The Committee was assigned only advisory functions. It was required to make recommendations in regard to the amendments or additions to the existing laws of the State and to record its opinion on any legislative measures which might be referred to it

3. P.V. Mehta : Op. Cit., p. 383.

4. A. Ahmed : Op. Cit., p. 2.

5. *Jaipur*, (published by Information Bureau, Government of Jaipur, 1948), p. 32.

6. "*The Rajasthan*". 31st January, 1924.

by the executive body.⁷ Such a body, devoid of all power and representation of the general public, could not satisfy the aspirations of the people.

Between 1924 and 1938

The people continued to press for better constitutional and administrative reforms. In September, 1927, the people of Jaipur, in a mass meeting of 15,000, urged the State authorities to include (i) two elected members in the State Council; and (ii) a few representatives of the people in the Legislative Committee.⁸ The people of Jaipur State delivered an open letter to the Viceroy on the occasion of his visit to Jaipur on August 3, 1927, enlisting eleven demands including the establishment of a legislative assembly with legislative and financial powers, having at least three-fourths of its members elected.⁹ The Government paid no heed to these demands of the people. Even the appeal of Lord Irwin for the reorganisation of the State administration in the light of changing political situation¹⁰ went unheard. The State presented

7. *Administrative Report, Jaipur State, 1929-30*, p. 7 (published by the order of the Council of State, 1931).

8. The meeting was held on 2nd September, 1927. On the following day also a public meeting was held and it was attended by 30,000 people.

B.D. Kela : *Deshi Rajyon Ki Jan Jagriti*, p. 250.

"*Indian National Herald*", September 9, 1927.

9. "*The Hindustan Times*", August 4, 1927.

B.D. Kela : *Deshi Rajyon Ki Jan Jagriti*, p. 253.

10. Lord Irwin on the occasion of the Jaipur Maharaja Investiture Darbar held on March 14, 1931, said :

"New institutions and new ideas have to be grafted onto the old without destroying tradition and the spirit of the past and with due regard to local sentiments... that the system, which has been established, will under your Highness's guidance, secure to the people of this State a just, beneficent and progressive government which will repose upon a real unity of interests between the Ruler and the ruled. A fierce and searching light now beats on all who wield authority. The old unquestioning acceptance of autocratic rule is gradually disappearing even in those quarters where conservatism seemed to have the strongest hold. Rulers are being more and more called on to justify their authority to the ruled and abuse of power attracts to itself criticism of growing strength. Nor can it be expected that developments in British India should fail to have their effect upon

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a blank record in regard to constitutional reforms between 1924 and 1938.

Praja Mandal Activities in 1938-39

By the year 1938, political consciousness had developed to an appreciable extent. Education had advanced. The political ideals and philosophy of the political movements in India had reached the people of the State. People had learnt to take associated action and had organised themselves in the form of the Jaipur Raj Praja Mandal. The first session of the Jaipur Raj Praja Mandal was held at Jaipur in May, 1938.¹¹ Many speeches were delivered in which the policies of the Government of Jaipur were criticised. Shri Hiralal Shastri, speaking on the occasion, observed : "We have to build not only a new Jaipur and a new Rajasthan but a new India. We are striving for the attainment of the Swaraj because we have got tired of our present life and are dreaming of a new life. The building of that beautiful and godly life is in our hands."¹² The strength and popularity of the Jaipur Raj Praja Mandal went on increasing. Its branches were opened in other parts of the State.¹³ The growing popularity of the Praja Mandal made the State authorities panicky and they enacted Public Societies Registration Act to deal a death blow to the organisation.¹⁴ The Praja Mandal was refused registration under the new Act as a lawful association.¹⁵ Left with

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the people of your Highness and other States. There is abundant evidence that ere long a similar standard of administration will be demanded, which it will be impolitic and dangerous to deny. Precedent will not in all cases supply an adequate guide. . . ."

Administrative Report, Jaipur State, 1930-31, pp. 6-8. (Published by the order of the Council of State, 1932).

11. "The Hindustan Times", May 9, 1938.

Dr. R.R. Kasliwal : *Administrative System of Jaipur State* (Ph.D. Thesis, unpublished), p. 333.

12. "The Hindustan Times", May 9, 1938.

13. B.D. Kela : *Deshi Rajyon Ki Jan Jagriti*, p. 256.

P.C. Jain : Op. Cit., p. 123.

14. "Prabhat", 16 January, 1939.

15. "Prabhat", 16-1-1939.

P.C. Jain : Op. Cit., p. 123.

no alternative except to fight for civil rights, the Jaipur Raj Praja Mandal, as has been discussed in the First Chapter, launched a Civil Liberty Movement in February, 1939. The Movement was suspended on March 19, 1939. Subsequently, the State authorities released the political leaders and recognised the Mandal as a lawful association and registered it.

The Reforms of 1939

In 1939, Maharaja Man Singh, on the advice of the new Dewan Raja Gyan Nath, established Advisory Boards with the object 'to ascertain the needs of the people regarding administrative questions and affording them opportunities of bringing to the notice of His Highness's Government any matter of public concern which in their opinion required attention.'¹⁶ The Central Advisory Board was to consist of 48 members, 13 nominated and 35 non-officials.¹⁷ The Board was given powers to make suggestions on matters relating to medical relief, sanitation, vaccination, public works, roads, wells and buildings of public utility, public instructions, social legislation, rural uplift, marketing problems, trade and commerce, etc.¹⁸

A Critical Estimate

The reforms of 1939 were defective. Firstly, the Advisory Board was not given any real powers worth the name. It was clearly stated in the constitution of the Advisory Boards that the resolutions of the Boards shall be in the forms of suggestions and recommendations,¹⁹ and, in fact, the Government was not bound to honour them. The Board was also not given powers in the field of legislation and finance. Secondly, the composi-

16. *Administrative Report, Jaipur State, 1938-39*, p. 5.

Council of State Notification No. 52/P.M.O. File—*Advisory Board Mahakma Khas, Jaipur State (1938-43)*.

17. *Administrative Report, Jaipur State, 1938-39*, p. 5.

18. *Ibid.*

19. *Constitution of Advisory Board, Jaipur State, 1939*, Clause—Business Procedure.

tion of the Board was defective. Out of 35 non-official members, 13 were to be elected by the District Advisory Boards. Probably this was done with the intention to ensure a majority of the official block in the Central organisation. In this connection, the editor of "The Hindustan Times" observed : "The Jaipur Government cannot be congratulated on creating such a reactionary body that resembles more a court of a sessions judge assisted by 48 assessors than a legislature."²⁰ Thirdly, the method of election was defective. Each class was required to select a panel consisting of not more than five times of the required number of their representatives out of which the minister in charge was to nominate the required number.²¹ At that time, except the Bar Association, there was no other Association in Jaipur State. In such circumstances, probably, groups of persons from each class were to be required to recommend a panel of five persons. Thus from each class, the Minister in charge was to receive innumerable names and he was to select at his discretion the required number from the list of names sent to him. Persons so nominated could not be considered representatives of the class which they were said to represent. Moreover, the ingenious method devised by the Government eliminated all chances for the public-spirited persons to get into the Board. The imposition of such a method on the people of Jaipur, who were in no way less enlightened than their neighbours in the British India, was highly improper and deplorable.

The reforms were also not welcomed by the people as they gave them no real power. The Jaipur Bar Association termed these reforms as 'unworkable and wholly inadequate.'²² To the Jaipur Raj Praja Mandal, the reforms granted appeared to be framed in a 'slipshod fashion.'²³ In spite of these shortcomings the establishment of Advisory Boards was of unique significance as it marked the beginning of associating the people with the task of administration in an increasing degree.

20. "The Hindustan Times", 6-7-1937.

21. *Constitution of Advisory Board, Jaipur State, 1939*, Clause—Method of elections.

22. "The Hindustan Times", 18-7-1939.

23. "The Hindustan Times", 13-7-1939.

The Advisory Boards at Work

The Central Advisory Board and the District Advisory Boards in all the eleven Nizamats in the State started functioning early in 1940. The Central Advisory Board was formally inaugurated by Maharaja Mansingh II on March 18, 1940.²⁴ During the year 1940-41 the Central Advisory Board met for 7 times²⁵ and about 166 resolutions came for discussion. Of these 166 resolutions, 114 were passed and the rest were either withdrawn or lost. The District Advisory Boards in all the Nizamats held their quarterly meetings regularly and discussed matters relating to various subjects and made suggestions on them. A detailed study of the proceedings of the Central Advisory Board and of the available records of the District Advisory Boards reveals that they did not serve the purpose of the State people in any way. The proceedings of the Boards did hardly attract the attention of the people. They failed to deliver any goods and their failure was recognised by the Government by contemplating better reforms in the years that followed.

Appointment of a Constitutional Reforms Committee

In March 1940, the Praja Mandal was registered as a lawful association.²⁶ A conference was held at Jaipur on May 25, 1940, in which resolutions were passed to establish representative institutions.²⁷ In March, 1942, the Jaipur Raj Praja Mandal in the meeting of its General Committee categorically demanded a share in the administration and the establishment of a responsible government in the State of Jaipur.²⁸ In June, 1942, Mirza Ismail joined as the Dewan of the State. He was a liberal minded democrat. He gave an assurance to the people of the State to

24. *Administrative Report, Jaipur State, 1939-40*, p. 17.

25. *Administrative Report, Jaipur State, 1939-40*, p. 17.
Administrative Report, Jaipur State, 1940-41, p. 35.

26. "*The Times of India*", April 13, 1940.

27. "*The Hindustan Times*", May 27, 1940.

28. Shri Tika Ram Palwal, M.P., in a talk with the author on July 2, 1964.

introduce constitutional reforms on the lines of Mysore State.²⁹ On October 26, 1942, the State authorities declared that 'the time had come for a further advance over the reforms of 1939', and appointed a Constitutional Reforms Committee under the Chairmanship of Rajasevasakta S. Hiriannaiya to formulate comprehensive proposals for harmonious constitutional progress in the State.³⁰

The Reforms Committee at Work

The Committee started its work on November 4, 1942. In order to elicit public opinion, the Committee issued a comprehensive questionnaire on the main problems to prominent citizens and associations representing the various committees and interests in the State.³¹ It also examined 33 witnesses orally. These included Shri Shiv Behari Tewari, Sayed Husan Khan, Seth B. Golecha, A.K. Khan Yusuf, Seth S L. Tholia, Lala I.L. Jain, Pt. Devi Shanker Tewari, Ch. Harlal Singh, Prof. J.L. Jain (Nawalgarh College), Shri Kamalnayan Bajaj and Pt. P.L. Kaul. The three chief Political associations in the State, viz., The Jaipur Raj Praja Mandal, The Sardar Sabha and the Anjuman Khadimul Islam, submitted their replies in writing. Shri Hiralal Shastri, on behalf of the Praja Mandal, submitted a note for the establishment of a fully responsible government in the State.³² The Anjuman Khadimul Islam demanded special safeguards in the form of weightage and separate electorate system for Muslims.³³ The Sardar Sabha

29. P.C. Jain (Editor) : Op. Cit., p. 124.

"Lokvani", Second Annual Number, 1945-46, p. 30.

30. "The Government of Jaipur Gazette" (Extraordinary), October 26, 1942.

Administrative Report, Jaipur State, 1942-43 (1945), p. 106.
Jaipur, p. 37.

31. *Constitutional Reforms in Jaipur, Report of the Committee on Constitutional Reforms, 1943.*

Administrative Report, Jaipur State, 1942-43, p. 108.
Jaipur, p. 37.

32. *Constitutional Reforms in Jaipur, Report of the Committee on Constitutional Reforms, Jaipur*, p. 16.

33. *Ibid.*, p. 15.

put forth the scheme of bi-cameral legislature.³⁴ The evidence tendered by the witness and the replies received (about 100) were carefully and thoroughly considered by the Committee. The report, embodying the Committee's recommendations on the points referred to, was signed by 13 members on April 2, 1943 (in the 32nd meeting of the Committee) and submitted to the Government by the Chairman of the Committee on April 12, 1943.³⁵ The report was a comprehensive document in six chapters consisting of 120 paragraphs covering 94 pages.

Recommendations of the Committee

The Reforms Committee recommended the establishment of (i) a Legislative Council, consisting of 60 members including the President, with the majority of the elected members for making laws, discussing and voting the budget, putting questions and considering resolutions on matters of public interest; (ii) a Representative Assembly composed of 120 members, mainly from the rural areas and elected on a much lower franchise. The chief functions of this Assembly were to ventilate popular grievances and provide a platform for the middle and lower classes of the population who ordinarily would not be able to get a seat in the Council; (iii) the introduction of the popular element into the executive; (iv) the adoption of measures for securing the independence of the judiciary; (v) the establishment of a Public Service Commission; (vi) the declaration by the Ruler of certain rights in a Royal Proclamation.³⁶ The Committee made detailed recommendations regarding the composition of the two houses, their respective powers, procedure, sessions, terms, rights and privileges of their members, etc.³⁷

34. Ibid., p. 11.

35. *Administrative Report, Jaipur State, 1942-43*, p. 108.
Jaipur, p. 39.

36. Ishwar Dutt : *Constitutional Reforms for Jaipur* (1944), pp. 12-13.
Report on the Committee of Constitutional Reforms, para 28 to 59,
pp. 69-90.

37. *Constitutional Reforms in Jaipur, Report of the Committee on Constitutional Reforms, 1943*, Sections 28 to 49.

The Government of Jaipur Act, 1944

The Government of Jaipur accepted most of the proposals made by the Constitutional Reforms Committee with only a few modifications here and there.³⁸ On the New Year's Day of 1944, Maharaja Man Singh II issued a proclamation detailing the reforms he intended to introduce.³⁹ He announced the abolition of the Central and District Advisory Boards and the establishment of a Representative Assembly, instead.⁴⁰ A few months later the Maharaja promulgated the constitution of Jaipur, viz., the Government of Jaipur Act, 1944, on June 1, 1944.

Composition of Legislature

The Act provided for a legislature composed of two chambers, the Representative Assembly and the Legislative Council.⁴¹ The Representative Assembly was to consist of one hundred and twenty-five members, 120 elected and 5 nominated non-officials.⁴² The Legislative Council was to consist of fifty-one members, 37 elected and 14 nominated.⁴³ The term of the legislature was fixed 3 years.⁴⁴ The Prime Minister was to be the ex-officio President of both the Legislative Council and the Representative Assembly.⁴⁵ The seniormost minister of the Executive Council was to be the ex-officio Vice-President of the Representative Assembly and the Minister senior in rank was to be the Vice-President of the Legislative Council.⁴⁶

38. Ishwar Dutt, Op. Cit., pp. 9-13.

39. *Jaipur*, pp. 40-41.

Ishwar Dutt : *Constitutional Reforms for Jaipur*, (1944), p. 8.

40. *Jaipur*, p. 40.

41. *Government of Jaipur Act*, 1944, Article 9, p. 3, Chapter IV.

42. *Ibid.*, Article 10.

P.C. Jain (Editor) : Op. Cit., p. 38.

43. *Government of Jaipur Act*, (1944), Article 11, pp. 3 and 4.

P.C. Jain (Editor) : Op. Cit., p. 39.

44. *The Government of Jaipur Act*, 1944, Article 12, p. 4.

45. *The Government of Jaipur Act*, 1944, Article 15, pp. 4-5.

46. *Ibid.*

- Elections to the legislature were to be held on the basis of joint electorate with reservation of seats for the Muslims. A candidate for election to the Legislature, besides being a voter, was required to possess certain age, residence and educational qualifications. A person was disqualified to be chosen as a member of the either house if he was of unsound mind, held any office in the civil or military service of the State, or was a dismissed person from civil and military service of His Highness.⁴⁷ A person, in order to be qualified as a voter, was to possess certain age, educational or property qualifications which were different for both houses.⁴⁸ The members of the legislature were to have freedom of speech and impunity from arrest during the continuance of the meetings of the chamber of which they were the members.⁴⁹

Powers and Functions of the Legislature

The Representative Assembly was to have the power to submit representation on any matter of public interest for the consideration of the Government, to discuss the general principles of the State-budget and to ask questions and supplementary questions.⁵⁰ The powers and functions of the Representative Assembly were very aptly summed up by the Constitutional Reforms Committee in the following words : "The Assembly will perform limited functions. It will not take part in legislation, the budget will not be submitted for its vote, though discussions would be allowed; its main function would be to bring to the notice of the government the wants and difficulties of the people by means of representation and to hear the answer of the Government to those representations. The Government may also consult the House on any matter on which they might wish to elicit public opinion. In short, it will be a house for representation, reference and consulta-

47. *The Government of Jaipur Act, 1944*, Article 20(1), p.7.
Legislative Council Rules, Government of Jaipur, Clause 23, p. 9.

48. *Legislative Council Rules*, Clause 16 (for Ladies Clause 17, for suppressed classes, clause 18).

49. *The Government of Jaipur Act, 1944*, Article 22(1)(2), p. 9.

50. *The Government of Jaipur Act, 1944*, Article 31(1), 36(1) and (2), pp. 13, 16, 17.

tion."⁵¹ The Legislative Council was given powers of interpellating the Government, of passing resolutions, of moving adjournments and of passing legislation.⁵² It was given powers to discuss and vote the budget.⁵³ A few legislative restrictions were imposed on the legislative powers of the Council. A few subjects, such as matters relating to His Highness or to the ruling family, the relations of the Maharaja with the King Emperor, matters governed by treaties and conventions, relations of the Sardars with His Highness, the State Army, etc., were excluded from the purview of the Legislative Council.⁵⁴ The salaries of the Prime Minister, other ministers and the judges of High Court, compensation to Jagirdars for excise, to Thikana Diggis for bhomchauthan, to Bhomias of Torawati for excise, to the Thikanas of Shekhawati, etc., for customs, were also excluded from the voting power of the Legislative Council.⁵⁵

A Critical Estimate

A careful perusal of the reforms reveals some serious drawbacks in the Act. Firstly, the reforms did not lead to the establishment of a responsible government in Jaipur State and the executive was not made responsible to the legislature. Secondly, the powers of the legislature were hedged in with too many safeguards and reservations. Thirdly, adult franchise was not granted. There is no denying the above shortcomings. But this in no way impaired the importance of the reforms scheme. The shortcomings pointed out above, were common in most of the legislatures of the Indian States at that time. There was not a single state in which the executive was responsible to the legislature. The principle of adult franchise was not followed even in the elections to the legislatures in the British provinces. The powers of legislature are always limited in a monarchic state and

51. *Constitutional Reforms in Jaipur, Report of the Committee on Constitutional Reforms*, 1943.

52. *The Government of Jaipur Act*, Articles 24 and 36, pp. 10, 16-17.

53. *Ibid.*, Section 32(3), p. 15.

54. *Ibid.*, Article 27, pp. 11-12.

55. *Ibid.*, Article 31(3), p. 13.

Jaipur, being a monarchic state, could not be an exception to it. The State authorities did not claim that the reforms introduced were perfect. It was only a step towards the establishment of a responsible government. Moreover, the circumstances prevailing in the State were in no way ripe for the establishment of an all-powerful legislature. The people had no experience of the working of democratic institutions. Though education had made much progress, yet the greater part of the State population was illiterate and economically backward. The feudal elements were strong and it was not possible to change the age-old structure at once. Viewed in these circumstances, the establishment of a legislature with a substantial authority granted for the first time in the history of the State, was praiseworthy. Commenting on the reforms introduced, the editor of 'The Hindu' of Madras rightly observed : "For the first time in the history of the State representative institutions will come into being, elected majority will control the lobbies and political institutions will have ample opportunities of influencing government decisions."⁵⁶

The reforms of 1944 had two distinctive features. The first was the nature of the legislature. The reforms provided for the establishment of two houses the Legislative Council and the Representative Assembly. The two houses were somewhat different from the lower and the upper houses as the terms are usually understood these days. They were contemplated to be complementary, rather than competitive, in their functions. The second feature was the introduction of a joint electoral system. A separate electoral system, which holds alluring prospectus to communal aspirations and effectively retards national progress and completely destroys the spirit of true citizenship, found no place in the reforms in spite of its advocacy by the Anjuman Khadimul Islam.

Elections to the Legislature

Preparations for the elections to the Legislature started soon. The Jaipur Raj Praja Mandal and the Sardar Sabha decided to

56. Cited by Shri Ishwar Dutt : Op., Cit., p. 31.

participate in the elections. The elections created a great deal of interest in the people of the State. Meetings were organised by the supporters of the Jaipur Raj Praja Mandal, the Sardar Sabha and independent candidates. Sarvashri Hiral Lal Shastri, Tikaram Paliwal, Ramkishor Vyas, Praveen Chandra Jain, etc., of the Praja Mandal and Thakur Kushal Singh of Geejgarh, Thakur Narendra Singh of Jobner, Thakur Umed Singh of Mehlan, etc., of the Sardar Sabha toured extensively in the State, held meetings and explained the programme of their respective parties to the masses.⁵⁷ Elections to the Representative Assembly were held on May 10, 1945, and to the Legislative Council on May 15, 1945.⁵⁸ The percentage of voting was between 35% and 40%.* The nominations to the Legislature were completed by the end of August 1945. The two houses of the legislature were inaugurated by the Maharaja on September 5, 1945.⁵⁹

Subsequent Reforms

The Jaipur Raj Praja Mandal was not satisfied with the reforms of 1944, because they did not meet its known objective of the establishment of a responsible government.⁶⁰ The Praja Mandal leaders, however, thought it proper to give a trial to the reforms scheme and, therefore, participated in the elections to the legis-

57. "Lokvani", April 1945 to May 1945 issues.

58. "Lokvani", May 19, 1945.

* The figures of the percentage of voting are based on the verbal information gathered by the author from Shri Hira Lal Shastri, Shri Tikaram Paliwal, Shri Daulatmal Bhandari, Shri Pravinchand Jain, Shri P.C. Patni and Thakur Narendra Singh. The information supplied by these persons regarding the percentage of voting varies from 35% to 40%. The Author tried his best to gather the exact figures through official or non-official records but he could not get the official files regarding the elections and constitutional reforms. The record was either misplaced or destroyed by the State authorities. In the files of the Jaipur Raj Praja Mandal and in the Jaipur State Gazette and 'Lokvani' only the names of the candidates who were returned in the elections were given and there was no mention either of the number of votes secured by each candidate or of the party to which he belonged.

59. "Lokvani", September 11, 1945.

60. Shri Tika Ram Paliwal, in a talk with the author, on July 2, 1964, at Jaipur.

lature.⁶¹ The Praja Mandal party won the majority of elected seats in both the Houses.⁶² Soon the Jaipur Raj Praja Mandal Party in the legislature set to work in the direction to achieve a responsible government in the State. In March, 1946, a resolution was moved in the Legislative Council by Mr. Tika Ram Paliwal for the establishment of a responsible government in the State. The Council approved of the resolution.⁶³ The demand for the establishment of a responsible government was also supported by the press. The fast pace of political and constitutional change taking place in the country stimulated the State authorities to think in the direction of further constitutional advancement. On May 14, 1947, the Government appointed a committee of nine members to submit 'a revised constitution for the State having due regards to the relevant provisions accepted from time to time by the Constituent Assembly for the centre, the provinces and the States, and to the resolutions of the Jaipur Legislative Council passed in March, 1946.'⁶⁴ While the Committee was occupied with the problems of reforms, negotiations started between the Jaipur Rajya Praja Mandal and the State authorities for the establishment of an interim government. After three months of protracted negotiations, an agreement regarding the constitutional reforms was arrived at. It was agreed upon to establish a Responsible Government in the State.⁶⁵ Mr. V.T. Krishnamachari, on behalf of the Maharaja, announced the constitutional change on March 1, 1948.⁶⁶ Accordingly, it was decided to appoint the leader of the majority party as the 'Mukhya Sachiva', who was also to be the leader of the House. The Prime Minister was to be styled as 'Dewan'. The Deputy Speaker was to be elected by

61. Ibid.

62. Ibid.

63. *The Jaipur Legislative Council Debates, Official Report*, March, 1946, Vol. II, No. II, p. 36.

64. *Jaipur*, p. 50.

Administrative Report, Jaipur State, 1947-48, p. 65 (published by Authority—1949).

65. "Lokvani", March 2, 1948.

66. *Administrative Report, Jaipur State*, 1947-48, p. 66.

"The Government of Jaipur Gazette (Extraordinary), March, 1, 1948.

the members from amongst themselves.⁶⁷ The announcement of March 1, 1948, was welcomed by the people and the press alike. Commenting on the announcement of March 1, 1948, the editor of 'Lokvani' observed : "Though the pace of the Constitutional progress in Jaipur State is slow, yet it is advancing gradually towards the establishment of a responsible government in the State. The new announcement has, in clear words, made the Interim Government responsible to the Legislature." The announcement of March, 1948, was of great historic and constitutional significance in the annals of the State of Jaipur. It was for the first time in the history of Jaipur Raj that an announcement was made which paved the way for the full parliamentary form of government. The announcement gave the Jaipur Legislative Council its true form as it endowed it with executive powers. The Government of Jaipur Act, 1944, was amended on March 27, 1948, to give effect to the March Announcement.⁶⁸ Shri Hiralal Shastri was appointed Mukhya Sachiva⁶⁹ and thus, it led to the ushering in of an era of Responsible Government in the State.

The Legislature at Work

The Legislature worked for its full term of three years. In between 1945 and 1948, the Legislative Council met seven times. The Legislative Council considered the State-budget for the years 1946-47, 1947-48 and 1948-49. It considered 213 resolutions relating to various subjects of public importance. The right of interpellating the Government was used to a great extent by the Members of the Council. About 650 questions and 47 short-notice questions were given notice of by the Members and answers to all were made by the Government. About 101 official and 25 non-official bills were introduced in the Legislative Council. Of these 94 official and 14 non-official bills took the shape of law. An analytical study of the proceedings of the Legislative Council reveals that the Members took keen interest in the deliberations

67. *Jaipur*, p. 51.

68. "Lokvani", 2 March, 1948, p. 2.

69. "The Government of Jaipur Gazette", Extraordinary, 27th March, 1948, pp. 1 and 2,
P.C. Jain (Editor) : Op. Cit., p. 124.

of the Council. The debates were often lively and thought-provoking. Besides, this, the Legislative Council performed some election duties also. It elected (i) Shri S.D. Pande, a nominated member of the Council, as the first non-official Deputy President; (ii) Shri Hiralal Shastri and Shri Sardar Singh as Jaipur State representatives to the Constituent Assembly of India, and (iii) the members of the Public Accounts Committee, the Privilege Committee, the House Committee, etc., The Representative Assembly was also summoned seven times and performed the work entrusted to it. In short, the Legislature of Jaipur State succeeded in serving the masses to an appreciable extent in the limited field of powers granted to it.⁷⁰

General Observations

The Jaipur State Legislature was the product of a peaceful evolution. The road from the Ruler's despotism to the establishment of a Responsible Government was long, difficult and full of hazards. But it was creditable both on the part of the Ruler and the people that the reforms were achieved without creating bad blood between the parties concerned. The democratic and ingenuous outlook of Maharaja Ma. Singh II, the political sagacity and liberalism of Mirza Ismail and Sir V.T. Krishnamachari, the helpful attitude of the feudal elements, capable and mature leadership of Shri Jamna Lal Bajaj and Shri Hira Lal Shastri played a notable part in the advancement of constitutional reforms in the State. But the non-participation of the Jaipur Rajya Praja Mandal in the famous August Movement of 1942 was a surprising event. Shri Tika Ram Paliwal and a few other Jaipur Rajya Praja Mandal leaders, whom the author had to consult in this connection, explained that the non-participation of the Jaipur Rajya Praja Mandal in the 'Quit India' Movement was an intelligent and well-planned move of its leaders. According to them any action in 1942, in the wake of Sir Mirza Ismail's assurance to introduce reforms in the State of Jaipur on the pattern of Mysore State, would have provided the State authorities with an opportunity

70. Details given in Chapter VI.

or excuse to hold back from their assurance. Praja Mandal's non-participation in the struggle of 1942, in spite of the provocative acts on the part of the Government, not only obliged the State authorities to keep their assurances but it also helped in creating good will and confidence between the Ruler and the ruled. The above revelation of the reasons for non-participation of the Praja Mandal in the nation-wide movement speaks volumes of their foresightedness and calibre. The aristocratic class, too, adopted a helpful attitude in the forties of the present century. The leaders of the Sardar Sabha, viz , Lt Col. Ram Singh, Shri Bhim Singh of Mandava and Shri Kesari Singh of Geejgarh, were all educated and were wise enough to read the writing on the wall. They had realised by the time that the days of autocracy were gone and it would not be wise to stand in the way of progress. As such, they adopted a helpful attitude in regard to the constitutional reforms in the State. Moreover, the State people's faith and confidence in the ruling family and the changing political situation in the country also helped the constitutional advancement in the State. In fact, the Jaipur Legislative Council was the only legislature in Rajasthan in 1948, which could boast of having executive, legislative and financial powers with only a few limitations.

(A) J.K T. REGION—KISHANGARH STATE

In the small principality of Kishangarh, a State Advisory Board was established in the year 1939, with a view to "ascertain the needs and views of the people of the State regarding matters of public concern and in order to train them for progressive associations in the Government of the State."⁷¹ The Board was to consist of thirty members, all nominated by the Darbar for three years.⁷² Out of the thirty members, eight were to be officials and the rest non-officials.⁷³ Of the eight officials, four were the Hakims of Paraganas and four state Officials of Kishangarh town.⁷⁴ The

71. *Administrative Report, Kishangarh State, 1941-42, 1942-43*, p. 7.

72. *Ibid.*

73. *Ibid.*

74. *Ibid.*

twenty-two non-official members were to be nominated from: industries—2; agriculture—4; labour—2; Kishangarh Municipality—2; legal profession—2; bankers, merchants and shopkeepers—4; Sardars—2; Mafidars—2; and specially nominated members—2.⁷⁵ The Board was empowered to make suggestions on agriculture, irrigation, industries, trade, rural uplift, education, medical relief, sanitation, vaccination and veterinary work, social legislation, roads, wells, temples, buildings of public utility and co-operative movements.⁷⁶

The Board was inaugurated on October 14, 1939⁷⁷ by C. L. Corfield, Resident at Jaipur, and Supervisor, Minority Administration, Kishangarh. The constitution was amended in 1941 to give more representation to the agricultural interest.⁷⁸ It was to consist of three state officers of Kishangarh State, three Hakims of Parganas, two Tazimi Sardars, two Mafidars, two lawyers, four bankers, merchants and shopkeepers, two members of the municipalities, eight members representing agricultural interest, two members representing industries and two members representing labour. The Board was authorised to introduce a special subject for discussion with the permission of the Chair, provided that (i) it led to the formulation of a considered opinion on a point of vital interest to the public, or (ii) it ventilated any grievance of the public.⁷⁹ A careful and critical study of the composition, powers and functions of the Advisory Board reveals that, with its undemocratic organisation and mere advisory function, it was hardly better than a consultative committee. The Board was dissolved in the beginning of 1946.

Gradually political awakening began to glow in the people. Under the leadership of the State Praja Mandal, the people started demanding reforms in the administration. Under the pressure of

75. Ibid.

76. Ibid., p. 8.

77. *Administrative Report, Kishangarh State.*
Sanwat year 1998-99 (1-11-41 to 31-10-42), pp. 7-8.

78. Ibid., p. 7.

79. *Administrative Report, Kishangarh State, 1941-42*, pp. 7-8.

the public opinion the Maharajadhiraj appointed a popular person as Minister in the State Council in October, 1946.⁸⁰ The nomination was opposed by the Praja Mandal.⁸¹ In January, 1947, a Constitution Reform Committee was appointed to suggest constitutional reforms keeping in view the conditions prevailing in the State.⁸² The Committee submitted its proposals to the Government in April, 1947,⁸³ but the Government could not take any decision on the proposals because of the State's accession to the Dominion of India.

(A) J.K.T. REGION—TONK STATE

The Inception of the Majlis

The defunct State of Tonk, the only Muslim State in Rajasthan, was ruled by a Nawab. In 1921, the people demanded a few reforms in the administration of the State.⁸⁴ The demands went unheeded by the state authorities.⁸⁵ However, in November, 1939, Nawab Sir Mohammad Sadakat Ali Khan, realising that 'the consolidation of the State is dependent to a large extent on the creation of modern administration and maintenance of good government,' announced the establishment of a legislative assembly to be known as the Majlis-I-Amman for the State of Tonk.⁸⁶

Constitution of the Majlis

The Majlis-I-Amman was to consist of twenty-five members, twelve elected and thirteen nominated.⁸⁷ Of the twelve elected members, six were to be elected from the rural and six from the urban areas.⁸⁸ Of the thirteen nominated members, eight were to

80. *AISPC Rajasthan Regional News Bulletin*, No. 6 of 29th November, 1946.

81. *Ibid.*

82. Shri Chand Mal Mehta in a talk with the Author on 18-5-1963.

83. *Ibid.*

84. "*Daily Express*", 16-2-1921.

85. *Administrative Report, Tonk State, 1943-44*, pp. 4 and 66.

86. *Ibid.*, p. 66.

87. *Ibid.*

88. *Ibid.*

be officials and five non-officials.⁸⁹ The Vice-President of the State Council was to be the ex-officio Chairman of the Majlis.⁹⁰ The elected members of the rural areas were to be elected by the Sarpanchas of the panchayats of the State and the elected members of the urban areas were to be elected by members of the municipalities.⁹¹ The method of the election of the members of the Majlis was to be such that two members, one Muslim and one non-Muslim, were to be elected from all the urban and rural constituencies by rotation in order to provide a chance to both communities.⁹² The Majlis was to have the power to tender advice on all proposed legislations regarding new taxation, health, education, commerce and industry.

A Critical Estimate

A perusal of the 'Farman' reveals that the Majlis-I-Amman suffered from several drawbacks. Firstly, there was no provision for an elected majority. Secondly, the franchise was kept very low in the rural areas. There were only seventy-nine panchayats in the State at that time and thus only seventy-nine persons (surpanchas) were given the power to elect six members of the rural area. In the same way, franchise was low in the case of urban areas also. Moreover, the municipalities had a large number of nominated members. The Assembly, as such, could not be said to represent the people. Thirdly, the Majlis was not given any powers in the field of legislation and finance. It was authorised only to make recommendations which the Nawab was not bound to honour. It was like a consultative committee and nothing more.

The Majlis at Work

The Majlis was formally inaugurated by the Nawab on February 3, 1941.⁹³ In between 1941 and 1945, only two sessions were

89. Ibid.

90. Ibid.

91. *Administrative Report, Tonk State, 1940-41*, p. 57.

92. Ibid.

93. Ibid.

held and each lasted only for a day. But for one piece of legislation the Assembly had a blank record. After May 1945, it existed only on paper.

As the Majlis was only a paper-institution, the people in September, 1946, started an agitation for its revival and democratisation. But the agitation soon faded. The lack of education, the poor economic condition of the people, the lack of political consciousness among the masses, the absence of any organised political group in the State and the absence of adequate political leadership were some of the factors responsible for this state of affairs.

The preceding pages unfold the history of the evolution of legislatures in the J.K.T. region of Eastern Rajasthan between 1908 and 1948. We have noted that of all the States comprising the J.K.T. region, the Legislative Council Jaipur State in 1948 embodied both characteristics of a representative institution, viz., representation and responsibility. A high degree of political awakening in the State people, the helpful and liberal attitude of the State authorities, and the presence of organised political parties or pressure groups were a few factors responsible for the existence of the Legislative Council embodying these two features. The absence of these factors accounts for the dormant state of the Tonk Legislature and for the little or no progress in the direction of constitutional reforms in Kishangarh State.

(B) THE MATSYA REGION--ALWAR STATE

Introduction

The State of Alwar came into limelight between the two World Wars as a result of the Noomchana Massacre of 1924, and the Mev riots of 1932-33. The former brought humiliation to the state authorities and the latter the banishment of Maharaja Jai Singh. The State presents a barren record in constitutional advancement till the year 1936. In that year the Maharaja appointed a few non-officials to the Advisory Council.⁹⁴ This

94. *Administrative Report, Alwar State, 1938-39*, p. 17.

change, however, gave nothing to the people. The years preceding the Second World War witnessed the growth of political consciousness in the people of Alwar State. They started organising themselves in political associations. In 1938, the Alwar Raj Praja Mandal was established with the aim to 'achieve responsible government under the aegis of the Maharaja'.⁹⁵ The Mandal started organising ward-meetings in Alwar proper to propagate its ideals.⁹⁶ The state authorities did not like the Mandal's activities and arrested a few political workers, thus suppressing the activities of the Mandal.

The Praja Mandal Demands Reforms

In 1939, the Alwar Raj Praja Mandal was registered as a lawful association.⁹⁷ The Praja Mandal Committee, in a meeting held on February 11, 1941, passed a resolution in which it urged the Ruler to associate the people with the Government of the State in an effective manner.⁹⁸ In August, 1942, the Alwar Raj Praja Mandal lined itself with the Praja Mandals in other States and requested the Ruler to break all relations with the British Government and to establish a responsible government in the State. The Government paid no heed to the demands of the people and took no step in the direction of constitutional reforms.

The All India States Peoples' Conference held at Udaipur in December 1945 and January 1946 created a great political awakening in the people of Rajasthan. The Praja Mandal workers of Alwar State, after their return from the Conference, prepared a scheme of constitutional reforms and submitted it to the state-authorities in the beginning of 1946. The scheme provided for the establishment of a legislative assembly elected on the basis of adult franchise with complete powers in the field of legislation and finance.⁹⁹ On March 6, 1946, a deputation of the Praja Man-

95. B.D. Kola : *Deshi Rajyon ki Jan Jagriti*, p. 117.

96. "The Hindustan Times", 3-7-1938.

97. File—*Alwar Praja Mandal File*, 1940-41.

98. Ibid.

99. *Alwar Praja Mandal File—Constitutional Reforms Scheme*.

dal met Sir S. M. Bapna, the Dewan of the State, in connection with constitutional reforms in the State of Alwar.¹⁰⁰ Sir Bapna's reply did not satisfy the deputation. Left with no other alternative, the Praja Mandal launched a satyagraha movement in August 1946 for the establishment of a responsible government.¹⁰¹ The leaders were arrested but the movement continued all the same. It was suspended in September 1946 when the Maharaja promised to meet the demands for constitutional reforms.¹⁰²

Efforts for Constitutional Reforms

On October 3, 1946, the Maharaja gave out his intention to introduce constitutional reforms in the State and established a Committee to prepare a constitution for the State.¹⁰³ The Praja Mandal Committee discussed the announcement of October 3, 1946, in its meeting held on October 16, 1946.¹⁰⁴ On October 28, 1946, the leaders of the Praja Mandal had a talk with the Chief Minister of the State.¹⁰⁵ The clarification given by the Chief Minister did not satisfy the leaders. The Praja Mandal refused to send its representatives to the Constitution Reform Committee.¹⁰⁶ As a result, no progress in the direction of constitutional reforms could be made.

In November 1947, the Praja Mandal served an ultimatum to the Maharaja either to establish a responsible government by July 22, 1948, or to face Satyagraha.¹⁰⁷ The Government did not respond to the Praja Mandal's ultimatum. So the Praja Mandal started preparing for an agitation. But on account of Shri Gokul Bhai Bhatt's intervention a tentative agreement was arrived at between the Maharaja and the Praja Mandal on December 21, 1947.

100. B.D. Kela : *Deshi Rajyon ki Jan Jagriti*, p. 217.

101. "The Hindustan Times", 5-9-1946.

102. Ibid.

103. "Alwar State Gazette", 16th October, 1946.

104. *Alwar State Praja Mandal File*—Minutes, 1946.

105. Ibid.

106. Letter addressed to the Chief Minister, Alwar State, 15th November, 1946. *Alwar State Praja Mandal File*—1946-48.

107. Ibid.

Accordingly, the elections to the Constituent Assembly were to be completed by July 22, 1948. The Constituent Assembly was to work as the legislative assembly; the leader of the majority group in the Constituent Assembly was to be invited to form the Government. An interim government of five ministers was to be set up in place of the existing ministry.¹⁰⁸ In January 1948, the Maharaja directed the State Praja Mandal to have final talks about the agreement of December 21, 1947, with a committee of three persons appointed by him for the purpose.¹⁰⁹ The Praja Mandal refused to negotiate with the said committee on the plea that the powers were to be transferred to the people by the Ruler and not by the committee.¹¹⁰ Thus the talks for constitutional reforms broke down. After a few days the state authorities decided to merge the State of Alwar in the Union of Matsya and, as such, the constitutional reforms in the State remained only a pious hope.

(B)* MATSYA REGION—BHARATPUR STATE

Introduction

Bharatpur State, better known as Lohagarh State in the regional folk songs, was a comparatively small but historically important Jat State. Being near to Mathura and Agra the State of Bharatpur was always influenced by the political ideas prevalent in British India. The Indian National Congress and its activities also appealed to the minds of the people. They also got impetus from the progressive tendencies of Maharaja Kishan Singh. Maharaja Kishan Singh declared his intention to institute a 'Shasan Samiti' for the State of Bharatpur on March 2, 1927.¹¹¹ On September 15, 1927 the Constitution

108. *Alwar State Praja Mandal File*, 1946-48, p. 9.

109. Secretary, the Maharaja of Alwar's letter No. Nil dated 17th January, 1948. *Alwar State Praja Mandal File*, 1946-48

110. Master Bholanath's letter to the Maharaja of Alwar, dated 22-1-1948 *Alwar State Praja Mandal File*, 1946-48.

111. "*Bharatvir*", 27-9-1927, p. 9.

of the Shasan Samiti was promulgated.¹¹²

The Constitution of the Samiti

The Shasan Samiti was to consist of a hundred and twenty members, ninety elected and thirty nominated.¹¹³ Of the hundred and twenty members, twenty were to be the representatives of Jats, fifteen from the agricultural class, ten from the labourers five from the Mafidars, five from the municipalities of the State, ten from the scheduled casts and the rest expert representatives.¹¹⁴ The nominated members were to include one representative of Shri 'Raj Guruji' and one representative of 'Dyodhiyas'.¹¹⁵ The Maharaja was to have power to increase or decrease the number of the members of the Samiti provided the nominated members were not to exceed one-fourth of the total number of the elected members in any case.¹¹⁶ The Dewan of the State was to be the ex-officio President of the Shasan Samiti.¹¹⁷ The Vice-President was to be elected by the members of the Shasan Samiti from amongst themselves.¹¹⁸ The tenure of the Samiti was to be three years.¹¹⁹ The Maharaja was to have powers to extend the life of the Samiti or to dissolve it earlier.¹²⁰ The quorum for the meeting of the Samiti was to be 50 per cent of the total number.¹²¹ The Samiti was to have powers to discuss all subjects in the State, but in no case it was to have powers to make derogatory statements in regard to His Highness, his family and security of the State.¹²² The Shasan Samiti was to have power to discuss the State-budget.¹²³ All the discussions of the Samiti were to be in the nature of recom-

112. Ibid.

113. *Shasan Samiti Samvidhan*, published in the "Bharatvir", 27-9-1927, p. 10.

114. Ibid.

115. Ibid.

116. Ibid.

117. Ibid.

118. Ibid.

119. Ibid.

120. Ibid.

121. Ibid.

122. Ibid.

123. Ibid.

mendations and His Highness was to have the authority to turn down the recommendations of the Samiti and it was not to have the power to discuss it again within one year unless His Highness directed it to do so for specific reasons.¹²⁴

A Critical Estimate

A perusal of the Constitution of the Shasan Samiti reveals that the Samiti was no more than a consultative committee. But this fact did not deprive the reforms from their significance which lay in the fact that a beginning in the direction of associating the people with the administration of the State was contemplated by the Ruler of his own accord. The Constitution of the Shasan Samiti could not be put into force as the Maharaja soon died and the administration of the State passed into the hands of the Political Department of the Government of India.¹²⁵ The Minority Administration of Mr. D. G. Mackenzi postponed the election to the Samiti *sine die*.

Efforts for Reforms

The people resented the action of Mr. Mackenzi. They filed a petition with the then Viceroy, Lord Irwin, in March 1930, and urged, among other things, to revive the Shasan Samiti.¹²⁶ Their other demands were : (i) the end of the existing administration ; (ii) the creation of a Regency Council with the predominance of State-element in it ; and (iii) the publication of Annual Administration Reports. For a few years nothing happened in the direction of the constitutional reforms in the State. With the introduction of provincial autonomy in British India in 1937, the demand for constitutional reforms in Bharatpur State also gathered momentum.

124. Ibid.

125. "Bombay Chronicle", 17-5-1928, p. 7.

126. *Princely India*, 7-3-1930, p. 9.

Reforms of 1939

On account of the growing political awareness among the masses, the State Government of Bharatpur decided to launch a few reforms in 1939. The Minority Administration announced the establishment of a Central Advisory Committee in February 1939.¹²⁷ The Advisory Committee was to consist of thirty members, twenty elected and ten nominated.¹²⁸ The Revenue Minister of the State Council was to be its Chairman.¹²⁹ The Advisory Committee was given powers to make suggestions on various subjects including education, public health and sanitation, trade and industry, co-operative societies, agriculture, local self-governing institutions, etc.¹³⁰ The Advisory Committee was granted power to ask questions relating to public welfare.¹³¹

Demand for Better Reforms

The establishment of the Advisory Committee did not satisfy the people. The Committee did not possess legislative and financial powers and the government was not bound to honour the suggestions made by it. So the people continued to press for better reforms. In August 1942, the Bharatpur Raj Praja Parishad put forth the demand for the establishment of a responsible government in the State.¹³² The State-authorities paid no heed to the demands and, as such, the Praja Parishad launched a satyagraha to achieve its objective in August 1942.¹³³ The satyagraha movement was abandoned when Shri K.P.S. Menon accepted the demand for establishing the Assembly.¹³⁴

127. *Administrative Report, Bharatpur State, 1938-39*, p. 4.

128. *Ibid.*

129. *Ibid.*

130. *Ibid.*

131. *Ibid.*

132. *Ibid.*

133. *Ibid.*

134. *Ibid.*

•The Establishment of the Samiti

On October 22, 1942, Maharaja Brijendra Singh announced the inception of a Legislative Assembly to be known as 'Brij-jaya Pratinidhi Samiti'.¹³⁵ A Constitution Act, known as Brij-jaya Pratinidhi Samiti Act, was also enacted.¹³⁶ Accordingly, the Samiti was to consist of fifty members (thirty-seven elected and thirteen nominated).¹³⁷ Of the thirteen nominated members six were to be official and the rest non-official.¹³⁸ Of the thirty-seven elected members, seven were to be elected from urban areas and the rest from the rural areas.¹³⁹ A candidate for election to the Samiti was to be a voter and fairly literate. A candidate was disqualified to be a member of the Samiti if he was of unsound mind, a minor, an undischarged insolvent or a convict.¹⁴⁰ The President of the Assembly was to be nominated by His Highness.¹⁴¹ The Deputy President of the Samiti was to be elected by the members of the Samiti from amongst themselves.¹⁴² The Samiti was to have the power of interpellating the government, passing resolutions and discussing legislation.¹⁴³ The draft annual budget of the State was to be presented to the Samiti for discussions.¹⁴⁴ The Government was required to keep in view the suggestions of the Assembly while finalizing the budget.¹⁴⁵ The life of the Samiti was to be three years.¹⁴⁶

A Critical Estimate

The establishment of the Assembly was commendable as it came at a time when the rulers of other states were finding in

135. *Administrative Report, Bhurampur State, 1941-42*, p. 2.

136. *Ibid.*

137. *Bharatpur Brijjaya Pratinidhi Samiti Act, 1942*, Section 2 (a), p. 3

138. *Ibid.*, Section 2(6).

139. *Ibid.*, Section 2(b).

140. *Ibid.*, Section 22.

141. *Ibid.*, Section 7.

142. *Ibid.*, Section 8.

143. *Ibid.*, Section 13, p. 4.

144. *Ibid.*, Section 15.

145. *Ibid.*, Section 18, p. 5.

146. *Ibid.*, Section 3.

World War II a ready excuse of an indefinite postponement of all talks of internal reforms. However, the reforms granted did not create any enthusiasm among the people. No powers were given to the Assembly in the legislative and financial spheres. Its resolutions were not binding on the government and the government was under no obligation to honour them. The method of elections was also not uniform. In the urban areas persons entitled to vote in the elections to the municipalities were to elect members for the Samiti and in rural areas, elected panchas were to constitute electoral colleges for election purposes.¹⁴⁷ But the reforms granted contained a few bright features such as the absence of communal representation in any form,¹⁴⁸ the predominance of the elected members and the adoption of a device under which the elected Deputy President was able to attend certain meetings of the Council of State and by which the executive and the legislature were brought into close contact.

The Samiti at Work

The elections to the Samiti were held in the month of September 1943. The Praja Parishad participated in the elections and contested thirty-seven seats of which it won twenty-one.¹⁴⁹ The Samiti was inaugurated by the Maharaja on October 4, 1943. Shri Deshraj was elected the Deputy President of the Samiti.¹⁵⁰ In between 1943 and 1946, the Samiti met for 13 times and transacted business for 56 days.¹⁵¹

The State budget was presented four times to the Samiti for discussion and suggestions. The Samiti made 16 suggestions in regard to the Budget for the year 1944-45 and twenty-six on the Budget for the year 1945-46. The suggestions were forwarded

147. Ibid., Section 17.

148. The Communal Organisation, viz., Muslims and Jats in the State were demanding communal representation.

149. A.S. Chaturvedi, Op. Cit., p. 4.

150. *Administrative Report, Bharatpur State, 1942-43*, p. 2.

151. *Administrative Report Bharatpur State, 1945-46*, p. 2.
A. S. Chaturvedi : Op. Cit., p. 3.

by the President of the Samiti to the Dewan of the State for the consideration of the State Council. The right of interpellation was used by the members of the Samiti to a good extent. During the years 1943-1946, about 304 questions were asked and nearly all were answered by the Government. The questions related to the various subjects of public interest, such as panchayats, rural uplift, civil supplies, education and medical and health. The number of resolutions given notice of was 351, out of which 218 were actually taken up for discussions. These embraced diverse subjects, such as opening of a girls' school in Regpur, appointing a woman warden for female prisoners and appointing inspectresses for girls' schools. Of the 218 resolutions, 93 were passed, 99 withdrawn, 14 rejected and the rest could not be taken up for consideration for want of time. In all, twenty-three bills were sent by the Government for the opinion of Samiti. A few of them were : The Labour and Transport Requisition Bill, the Village Collective Responsibility Bill, the Village Panchayat (Amendment)* Bill, the Regulation of Agriculturist Credit and Money Lenders Bill, the Hindu Women Rights (Amendment) Bill, the Hindu Anti-marriage Bill, the Arms Act Bill, the Bharatpur Game Laws, 1940 (Amendment) Bill, Income Tax Bill and the Compulsory Education Bill. The Samiti approved of a few bills in the form sent by the Government, a few bills with some suggestions and returned a few bills to the Government for reconsideration. The Samiti also performed election duties. On January 22, 1946, the Samiti elected seven non-official members to the Constitutional Reforms Committee.¹⁵²

A detailed study of the proceedings of the Brij-jaya Pratinidhi Samiti reveals that it did not do much useful work because the government showed little respect for the sentiments of the members of the Assembly. The attitude of the Government disgusted the members of the Samiti to such an extent that they did not

152. *Administrative Report, Bharatpur State*, 1942-43, p. 2 ;

“ “ “ “ 1943-44, p. 4 ;

“ “ “ “ 1944-45, p. 3 ;

“ “ “ “ 1945-46, p. 4 ;

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think it proper to make any suggestions on the State Budget for the year 1946-47. Such discouraging attitude of the State-authorities damped all enthusiasm in the members of the Samiti and on occasions the meetings had to be adjourned for want of quorum. The Praja Parishad, the largest single party, came out of the Samiti after one year of its bitter experience.¹⁵³

The Reform Proposals of 1946

On January 8, 1946, the Maharaja appointed a Committee to recommend constitutional reforms in the State.¹⁵⁴ The Praja Parishad members of the Reforms Committee boycotted the deliberations of the Committee from very beginning.¹⁵⁵ In spite of the adverse attitude of the Praja Parishad, the Committee proceeded with its work. While the Committee was still engaged in the problem of constitutional reforms, the Maharaja announced a few reforms on February 6, 1946.¹⁵⁶ The main reforms announced were : (a) the appointment of a minister from amongst the members of the Assembly; and (b) the establishment of a Legislative Assembly elected on the basis of adult franchise.

The reforms announced by the Maharaja were a progressive step as the principle of adult franchise was accepted for the election of the Assembly. But the Praja Parishad rejected the reforms as they did not meet its known objectives. As such, the Maharaja announced a few more reforms on October 5, 1946.¹⁵⁷ The main reforms proclaimed were : (i) the appointment of a constitution committee composed of eleven members, (three officials, three Praja Parishad nominees, three Kisan Sabha nominees, and three Anjuman Islamia nominees), all nominated by the Maharaja to submit their recommendations to His Highness on or before

153. *Administrative Report, Bharatpur State, 1945*, p. 2 ; A. S. Chaturvedi : Op. Cit., p. 3.

154. "*The Hindustan Times*", 16th January, 1946 ; *Some Salient Features of the Recent Political History of Bharatpur*, (Government publication, 1947).

155. *Some Salient Features of the Recent Political History of Bharatpur*.

156. *Administrative Report, Bharatpur State, 1945-46*, p. 2 ; "*The Times of India*", 8-2-1946.

157. "*Bharatpur Rajpatra*", 25-5-1945.

the 31st of December, 1946 ; (ii) the elections to the Brij-jaya Pratinidhi Samiti to be held on the basis of joint electorate with adult franchise ; (iii) the popular ministers, as announced earlier, were to be elected by the Samiti out of its elected members.

The Zamindar Kisan Sabha welcomed the announcement but put up a demand for larger representation of the Kisans in the Committee.¹⁵⁸ The Muslim Conference expressed its apprehensions as its demand for separate electorate and weightage was not granted.¹⁵⁹ The Praja Parishad also resented the reforms for three reasons. Firstly, the Parishad was reduced to a minority in the Reforms Committee. Secondly, undue representation was given to the Zamindar Kisan Sabha, the Anjuman Islamia, and the official element. Thirdly, in the opinion of the Praja Parishad, the Zamindar Kisan Sabha and the Anjuman Islamia were given undue importance in deciding the future of the constitutional reforms because the former was a government-created body representing the feudal element and the latter had nothing to do with politics because it was merely a social and religious association of the Muslims.

The Movement of 1947

The reply of the Government did not satisfy the Parishad. So the Parishad started contemplating some action against the Government. Soon the Duck-shooting* programme afforded it the required opportunity. A Satyagraha Movement was launched on January 15, 1947.¹⁶⁰ The people were lathi-charged by the police and several persons were arrested and a few, including women, received serious injuries.¹⁶¹ The Satyagraha con-

158. *Some Salient Features of the Recent Political History of Bharatpur*; "Bharatpur Rajpatra", 17-10-1946.

159. Ibid.

* On the evening of the 4th of January, 1947, the Maharaja of Bikaner arrived at Bharatpur station to take part in the Duck-shooting arranged by the Maharaja of Bharatpur. One of the workers of the Praja Parishad showed a black flag to the Maharaja of Bikaner. Another group, which had come to welcome the Maharaja, took objection to it and a general scuffle broke out between these two groups in which the Praja Parishad workers were beaten black and blue.

160. A.S. Chaturvedi : Op. Cit., p. 7.

161. Ibid.

tinued for about 10 months. Thereafter, protracted negotiations for the establishment of an interim government started between the Maharaja and the representatives of the political organisations of the State. As the result of the settlement, four ministers, viz., Deshraj, Haridatt, Gopilal and Adityendra, were appointed to the State Council on February 13, 1948.¹⁶² Preparations for the elections to the Legislative Assembly were also ordered.¹⁶³ However, the State-authorities soon decided to merge the State in the Union of Matsya which resulted into the postponement of the elections to the Assembly.

General Observations

In the third decade of the present century, Maharaja Kishan Singh decided to establish a Shasan Samiti for the State of Bharatpur. The idea of the institution of the Samiti was commendable for two reasons. Firstly, the Samiti was instituted by the Maharaja on his own free will at the time when the spirit of the people of Rajasthan States was fading on account of the atrocities committed by the various Rulers of Rajasthan States. The announcement of the establishment of Shasan Samiti helped to restore the confidence in the people of the States of Rajasthan and inspired them again to fight for their civil liberties and reforms. Secondly, the Maharaja, at the cost of great personal hazard of incurring the displeasure of the British masters, put an ideal example of representing the sentiments of the people before the other princes of Rajasthan. However, the early death of the Maharaja deprived the people of getting share in the government as the Minority Administration postponed the elections to the Samiti, *sine die*. The people continued to press for reforms but the absence of political organisations and proper leadership was a great handicap. Happily, the Bharatpur State Praja Parishad came into being and helped in accelerating the demand for the establishment of a Legislative Assembly and

162. Council order of 13th February, 1948, No. 2329; "*Bharatpur Rajpatra*", 15-2-1948.

163. Ibid.

responsible government. But the task of the constitutional reforms in the State of Bharatpur was not an easy one. Bharatpur was a Jat State whose traditions had been martial. There existed several interest-groups of the Zamindars, the Jats, the Hindus, the Muslims, in the State of Bharatpur. Therefore, it was a very difficult task to satisfy all. The Zamindar Kisan Sabha, the Anjuman Islamia and the Hindu Sabha were powerful groups to reckon with. The Praja Parishad and the Zamindar Kisan Sabha on one hand and the Hindu Sabha and the Anjuman Islamia on the other were poles apart in their approach and it was very difficult to reconcile the interests of these bodies. Hence, even such a capable administrator as Shri K.P.S. Menon found it difficult to speed up the constitutional advancement in the State. The communal attitudes of the Hindu Sabha and the Anjuman Islamia, the wavering attitude of the Maharaja, the absence of proper advisers to the Maharaja and the selfish motives of the different political groups were responsible for the belated constitutional settlement in the State.

(B) MATSYA REGION—DHOLPUR STATE

The ideals and the activities of the Indian National Congress began to influence the people of Dholpur State as early as 1937. In the beginning of 1938, a Dholpur Rajya Praja Mandal was established with the object to obtain responsible government under the aegis of the Maharaja of Dholpur. On July 14, 1938, the Praja Mandal presented a petition to the Ruler enlisting some major demands, such as the establishment of a responsible government and the grant of civil liberties.¹⁶⁴ But the Maharaja paid no heed to the request. As the people were not politically conscious, the Dholpur Praja Mandal could not gain much popularity for some years. They were educationally and economically backward and had faith and loyalty in the Ruler. Political situation began to change after the Second World War. In the wake of changed political situation, the people of Dholpur State made a strong demand, in May, 1947, for the establishment of a

164. "*Prabhat*", July 30, 1938.

responsible government in the State.¹⁶⁵ The Maharaja paid no attention to the demands of the people. The people of Dholpur State, then in January 1948, launched a satyagraha movement to achieve responsible government.¹⁶⁶ The movement continued for about a month. Shri Gokul Bhai Bhatt intervened on behalf of the Rajputana Regional Conference of AISPC. Consequently, negotiations started between the Maharaja and Mr. Khet Ram, the President of the Dholpur Rajya Praja Mandal, and the Praja Mandal agreed to suspend the satyagraha movement and the Maharaja promised to announce constitutional reforms on March 4, 1948.¹⁶⁷ But, thereafter, the Maharaja immediately decided to merge his State in the Union of Matsya which was inaugurated on March 18, 1948. Thus, the promised reforms never saw the light of the day.

It is clear from the foregoing pages that except Bharatpur, the States of the Matsya region presented a blank record of constitutional and administrative reforms. In Karauli State neither did the Ruler take any step to modernise the administration in the light of the fast changing political situation in the country, nor did the people show any sign of political awareness and willingness to participate in the government of the State. Both, the Ruler and the ruled, preferred to remain complacent. In Dholpur State the signs of political awakening began to appear during 1947-48, but then, they were too late. The unprogressive tendencies of the rulers, the absence of proper political leadership, the poor economic conditions of the masses, the lack of education were some of the factors responsible for the lack of constitutional reforms in the States of Karauli and Dholpur. In Alwar, the Alwar Rajya Praja Mandal tried its best to achieve constitutional reforms in the State but the wavering attitude of the Maharaja and the obstructive policies of Shri Bapna and Shri Kher¹⁶⁸ hindered the establishment of legislature and a responsible government in the State. In Bharatpur, the presence of powerful political pressure-groups like the Zamindar Kisan Sabha, the Hindu

165. "*The Hindustan Times*", May 10, 1947.

166. "*The Indian News Chronicle*", February 19, 1948.

167. Ibid.

168. Shri Kher succeeded Shri Bapna as Dewan of the State of Alwar in 1947.

Sabha, and the Anjuman Islamia, retarded the progress of constitutional reforms during the years that followed the Second World War. At the time of the formation of the Union of Matsya in March, 1948, there did not exist a single legislature in the Matsya region. The Brij-jaya Pratinidhi Samiti, established in 1942, was dissolved in the beginning of 1947. The new Legislative Assembly, to be elected on the basis of adult franchise, could not come into existence, because the constitutional deadlock continued in the State till 1948.

(C) HAROTI REGION—KOTA STATE

Introduction

Kota, a Hara State, was one of the backward States of Rajasthan as far as the constitutional advancement was concerned. The work of political regeneration in the State started in the years following the First World War. But it was so meagre that the political consciousness remained at its lowest ebb till the closing years of the fourth decade of the present century. In 1918, a Praja Pratinidhi Sabha was established¹⁶⁹ with the object to 'place the grievances of the public before the Mahkma-khas and to secure the rights of the people from the Government.'¹⁷⁰ The activities of the Sabha were disliked by the state authorities for it preached the use of Swadeshi cloth and the burning of the foreign cloth, etc.¹⁷¹ The Government took stern action against the workers of the Sabha and soon it became defunct.¹⁷² In 1920, Pt. Nainu Ram established a branch of the Rajasthan Sewa Sangh in Kota but the Sangh soon disintegrated on account of the assassination of Pt. Nainu Ram. In 1926, the Haroti Praja Mandal was organised but it did not do any substantial work.¹⁷³

The Praja Mandal and Constitutional Reforms

In 1938, Shri Abhinbhari organised the Kota Raj Praja Mandal with the object to achieve a responsible government under the aegis of the Maharawal of Kota.¹⁷⁴ The Mandal held a

169. File No. 12/17, *Mahkmakhas, Kota State*, 1932.

170. Ibid.

171. Ibid.

172. Ibid.

173. B.D. Kela : *Deshi Rajyon ki Jan Jagriti*, p. 268.

174. Ibid.

conference at Mangrol in May, 1939.¹⁷⁵ The speakers in the conference urged the Ruler to introduce administrative and constitutional reforms in the State.¹⁷⁶ The Kota Raj Praja Mandal Committee, in its meeting of October 23, 1940, passed a resolution in which it urged the Ruler to establish a responsible government based on democratic institutions elected on the basis of adult franchise.¹⁷⁷ The Ruler of the State, however, paid no heed to the demands put forward by the Praja Mandal, because by that time, it could not muster up enough popular support for its demands.

Promises for Reforms

In 1941, Maharawal Umaid Singh died and was succeeded by his son Bhim Singh. On March 5, 1941, the Maharawal, when exhorted by Sir Arthur Lothian, the Resident of Rajputana, to bring his administration in line with the modern standards,¹⁷⁸ promised to introduce a few reforms in the administration.¹⁷⁹ The promise of March 1941 could not be fulfilled owing to the obstructive policies followed by Shri H.L. Gosalia, the then Dewan of the State. The people of the State, under the leadership of the Kota Raj Praja Mandal, continued to press for the establishment of democratic institutions in the State. On 23 November, 1941, the Praja Mandal Working Committee adopted various resolutions relating to economic, social and political advancement in the State.¹⁸⁰ In one of these resolutions the Praja Mandal Committee urged the Ruler to introduce a responsible government and a legislative assembly elected on the basis of adult franchise.¹⁸¹ In August, 1942, the Kota State witnessed a great political uprising. The people of Kota City seized the capital of the State. On the effective intervention of the Ex-Dewan Ap Onkar Singh, a settlement was arrived at between the people of Kota City and the

175. Shri Abhinbhari in a talk with the Author on 31st December, 1903.

176. Ibid.

177. File No. 12/17, *Mahkmakhas, Kota State*.

178. Jain and Kangolia ; *A Scheme of Constitutional Reforms for Kota State* p. 1.

179. Ibid.

180. "*Lok Sandesh*", 7th December, 1941.

181. Ibid.

Maharawal.¹⁸² Accordingly, the Maharawal promised to establish a responsible government and to dismiss Mr. Goshalia. On September 18, 1942, the Maharawal announced his intention to establish a responsible government in the State at an appropriate time in near future.¹⁸³ The above announcement was never given serious consideration and the irresponsible structure of the administration continued for some years to come.¹⁸⁴

The appointment of a Constitutional Adviser

On March 1, 1946, Kota Government issued a notification expressing the intention of the Government to take the question of constitutional reforms in right earnest and to create a body with the powers to legislate, interpellate and discuss the principles of budget within the limits to be prescribed keeping in view the conditions, the requirements and the circumstances of the State.¹⁸⁵ In order to give effect to his intention, the Maharawal appointed Shri R. Hirrianniya, as Adviser for constitutional reforms in Kota. Owing to his ill health, Shri Hirrianniya could not do anything and Shri P.N. Saprú was appointed as Constitutional Adviser.¹⁸⁶

Appointment of Advisory Committee

An Advisory Committee, including the representatives of the Kota State Praja Mandal, was appointed to assist Mr. Saprú. The Committee covered some useful ground and an understanding was created among the Praja Mandal, the Jagirdars and the Muslim League group on many controversial points. At this very moment, Mr. P.N. Saprú had to leave the State to take over as Judge of the High Court of Allahabad.¹⁸⁷ Thereupon Shri Narayan Prasad Asthana, former Advocate-General of

182. P.V. Mehta : Op. Cit., p. 434.

183. Jain & Kangolia : Op. Cit., p. 2.

184. Ibid.

185. *Government of Kota Gazette, Extraordinary*, 1-3-1946.

Jain & Kangolia : Op. Cit., p. 2. "*The Loksevak*", 23rd March, 1946.

186. "*The Hindustan Times*", 27th April, 1947.

187. Ibid.

Uttar Pradesh, was appointed by the Maharawal as Chairman of the Advisory Committee and the work of constitutional reforms was resumed.¹⁸⁸ This Committee prepared a scheme of reforms and submitted it to the Maharawal for consideration in October 1947.¹⁸⁹

Recommendations of the Committee

The following were the main recommendations of the Committee : (i) a responsible government should be immediately established under the aegis of the His Highness of Kota ; (ii) the leader of the majority group in the Assembly should be appointed as Chief Minister ; (iii) the Executive Council should be responsible to the legislature ; (iv) the Legislative Assembly should have full power in the field of legislation, excepting the subjects relating to His Highness, his family and the throne; (v) the Personal expenditure of the Ruler should be fixed either at 10% of the State revenue or 6 lacs, whichever was less ; (vi) the Assembly should be composed of fifty-five members, all elected on the basis of adult franchise and joint electorate and one-fourth of the seats should be reserved for labourers, jagirdars, backward classes and women; (vii) the Legislative Assembly should have elected speaker and Deputy Speaker ; (viii) the Executive and the Judiciary should be separated ; and (ix) the fundamental rights of the people should be incorporated in the constitution.¹⁹⁰

The February Announcement

After a careful consideration of the recommendations of the Committee the Maharawal, on February 1, 1948, announced his intention to establish a popular interim government and a constituent assembly to frame a constitution for Kota State on the basis of the recommendations of the Advisory Committee on constitutional reforms. The announcement of February 1, 1948 could not be implemented as the Maharawal soon decided to merge

188. "*The Hindustan Times*", 7th May, 1947.

189. "*Jai Hind*", 8th December, 1947.

190. *Ibid.*

his state in the union of Rajasthan (inaugurated at Kota on the 25th of March, 1948).

General Observations

Though Kota was one of the five major states of Rajasthan, it was the hindmost state in regard to the constitutional reforms. The lack of political consciousness and effective political leadership, the prevailing poverty in the subject people and the unsympathetic attitude of the Dewan, were mainly responsible for such state of affairs. Moreover, the people's immense faith in their Ruler and the conciliatory attitude of the Praja Mandal leaders prevented the people from taking any drastic step in the direction of constitutional reforms and so the pace of reforms could not be hastened.

(C) HAROTI REGION—BUNDI STATE

Introduction

Bundi, the original Hara State, continued to be complacent even in the later twenties of the present century. The constitutional and administrative reforms introduced in British India and other Indian States made no impact on the State. It was ruled absolutely and the condition of the administration was highly deplorable. The people were still lulled to the slumber of medieval ages. Every kind of freedom was denied to them. But this state of affairs could not persist for long.

Political awakening

In 1930, a few enthusiastic people started taking part in the activities of the AISPC and The Indian National Congress. The political ideals and philosophy of the movements in British India started reaching the masses of the State and resulted in their political awakening. The people started resenting the unjust acts of the State-authorities. In June 1931, the people of Bundi observed seven days' strike as a protest against the inhuman act

of the killing of Shri Ram Nath by the police.¹⁹¹ In December 1931, Shri K. Kalyantri, President of AISPC, visited the State. His speeches created a great political stir in the people.¹⁹² In 1938, the Bundi State Praja Parishad was established. It put forth the demand of an elected State Council and a constitution based on democratic principles.¹⁹³

The establishment of Advisory Committees

During 1939-40, the States of Rajasthan were making a headway towards constitutional reforms. The Hara State of Bundi also followed suit and decided to establish advisory boards in the State and, as such, it established, in 1940, a Central Advisory Committee and a Tehsil Advisory Committee in each of the four tehsils, viz., Nainwa, Hindoli, Kapren and Deopura.¹⁹⁴

Constitution of the Central Advisory Committee

The Central Advisory Committee was to compose of twenty-three members, seventeen non-official and six official.¹⁹⁵ Of the seventeen non-official members, twelve were to be elected by the Tehsil Advisory Committees, four by the municipalities of the State, and the remaining one was to be nominated by the Maharawal from amongst the Jagirdars.¹⁹⁶ The Committee was required : (i) to keep itself in touch with the public views and to represent the public grievances to the administration ; (ii) to hold meetings and explain any Act or Law brought into force; and (iii) to give its opinion on any matter referred to it by the Maharawal.

In the year 1941, some changes were made in the constitu-

191. J.S. Gahlot : Op. Cit., Volume II, p. 105.

192. "The Bombay Chronicle", 18-12-1931.

193. "The Hindustan Times", 9-10-1938.

194. *Administrative Report, Bundi State*, 1941-42, p. 81.

195. *Constitution of Bundi State*, 1941, p. 26.

196. *Administrative Report, Bundi State*, 1940-41, p. 78 ; *Constitution of Bundi State*, 1941, p. 26.

tion of the Central Advisory Committee.¹⁹⁷ Accordingly, the Advisory Committee was to consist of twenty-three members including the Chairman.¹⁹⁸ Of the twenty-two members, twelve were to be elected and ten nominated. Of the ten nominated, five were to be officials of the State and the remaining five non-official members to represent the interests other than those represented by the elected members. Of the twelve elected, eight were to be elected by the Tehsil Advisory Committees (two each from the Tehsil Advisory Committees of Nainwa, Kepran, Hindoli and Deopura), and the rest by the municipalities of the State.¹⁹⁹

The institution of the Central Advisory Committee in the State of Bundi was a sequel to the constitutional reforms started in the various states of India as a result of the inauguration of provincial autonomy in British provinces. The powers and functions of the Committee were very ambiguous. Still the reforms had two distinct features. Firstly, the elected element was granted, and secondly, the establishment of Advisory Committee provided an opportunity to the people of the State to express their grievances in a recognised forum, however imperfect and weak it might have been.

The Institution of Dhara Sabha

On October 18, 1947, Maharaja Iswari Singh inaugurated the Dhara Sabha with a view to promote increased association of the people with state administration.²⁰⁰ It consisted of twenty-three members, twelve elected and eleven nominated.²⁰¹ Of the eleven nominated members, six were official and five non-official members nominated to represent interests other than those represented by the elected members.²⁰² Of the twelve elected

197. *Constitution of Bundi State*, 1941, p. 26; *Administrative Report, Bundi State*, 1941-42, p. 81.

198. *Ibid.*

199. *Ibid.*

200. *Administrative Report, Bundi State*, 1942-43, p. 83.

201. *Administrative Report, Bundi State*, 1944-45, p. 85.

202. *Administrative Report, Bundi State*, 1942-43, p. 83; *Administrative Report, Bundi State*, 1944-45, p. 85.

members, eight were elected by the Tehsil Advisory Boards (two each from the four Tehsils) and four by the municipalities of the State (2 Bundi Municipalities, 1 Nainwa and 1 Patan).²⁰³ The tenure of the Dhara Sabha was kept three years.²⁰⁴ The Dhara Sabha was given the power of interpellating the government and passing resolutions concerning all matters of public importance.²⁰⁵

It should be clear from the above account that there was little resemblance between the Dhara Sabha and a legislature. It had no legislative and judicial powers. It was an advisory committee bearing only the name of a legislature.

The Dhara Sabha at work

The members of the Bundi State Dhara Sabha put a total of 83 questions on various subjects in the four days of its four meetings in three years. The Government replied to them all. In all fifteen resolutions, relating to various subjects such as education, trade, civil rights and constitutional reforms, were moved and discussed. Of these, nine were passed and accepted by the Durbar, four were rejected and the remaining were disallowed. The State authorities took steps to implement the resolutions as far as circumstances permitted. For example, the resolutions relating to changes in the constitution of the Dhara Sabha and the grant of the fundamental rights were given effect by the Constitution Act of 1947.²⁰⁶

Changing Political Situation

Gradually, the political conditions began to change in the State of Bundi. Maharaja Iswari Singh was succeeded by his

203. *Administrative Report, Bundi State, 1942-43*, p. 83 ; *Administrative Report, Bundi State, 1944-45*, p. 85.

204. *Administrative Report, Bundi State, 1943-44*, p. 85.

205. *Ibid.*

206. *Administrative Report, Bundi State, 1942-43*, pp. 83-84;

 " " " " 1943-44, p. 86 ;

 " " " " 1944-45, pp. 85-86

 " " " " 1945-46, P. 86.

adopted son, Shri Bahadur Singh. Shri Bahadur Singh received his education in Mayo College, Ajmer. He participated in the Second World War and travelled in the foreign countries. It all developed a liberal and democratic outlook in him. The political consciousness was developing in the people of the State and education had also made a good progress. The facilities of transport and communication had considerably developed and opened the State for greater contact with the rest of the country. Political ideas and political agitations in the neighbouring states also started influencing the State of Bundi. The activities of the Lok Parishad fomented the demand of reforms in the State. The Lok Parishad celebrated the Lok Parishad Week from the 2nd of August, 1946, to the 8th of August, 1946.²⁰⁷ The 2nd of August, 1946, was observed as a Responsible Administration Day and a public meeting was held in the evening. In this meeting a resolution was passed requesting the Bundi Darbar to proclaim immediately the establishment of a responsible government in the State.²⁰⁸

Announcement of Constitutional Reforms of 1946

Maharaja Bahadur Singh, on the occasion of 'Diwali' on October 24, 1946, announced his intention to revise the constitution of the Dhara Sabha.²⁰⁹ He appointed a committee of twelve members headed by Pt. Deoki Nandan Chaturvedi, to submit within three months recommendations in regard to different aspects of constitutional reforms. The committee was required to take into consideration the special circumstances of the State and make recommendations accordingly. The committee was also required to deal with the question of franchise, constituencies, representation of special interests, such as the Jagirdars and minorities, and to present a scheme designed to further the harmonious and rapid progress of the State with the goodwill of all classes and sections of the people of Bundi.²¹⁰

207. *File No C/12/10, Miscellaneous, Mahkmalhas. Bundi State, 1945-47.*

208. *File No. C/12/10, Mahkmalhas, Bundi State, 1945-47.*

Letter of Lok Parishad to the Maharaja of Bundi of 9-10-1946.

209. *Administrative Report, Bundi State, 1946-47, p. 7.*

210. "*Bundi News Letter*", Volume I, No. I, November 1946, pp. 5-6.

Reaction of the Lok Parishad

The Working Committee of the Lok Parishad in its meeting of October 25, 1946, discussed the announcement of reforms made by His Highness. The Working Committee welcomed the announcement and directed those members of the Lok Parishad to join the committee who were appointed for framing the constitution.

Proposed Reforms Scheme

On February 20, 1947, the Constitution Committee submitted to the Government of Bundi State a Draft Constitution which provided for a Legislative Assembly (Dhara Sabha) of thirty-five members elected on the basis of adult franchise, joint electorate and secret ballot.²¹¹ Provision was also made for the nomination of two members expert on subjects introduced in the Dhara Sabha.²¹² The term of the Dhara Sabha was to be four years.²¹³ The Dhara Sabha was to meet at least twice a year and a period of not more than six months was to elapse between its two sessions.²¹⁴ The Speaker and the Deputy Speaker of the Dhara Sabha were to be elected by the members from amongst themselves.²¹⁵ The Dhara Sabha was to have power to legislate for the subjects of the State. It was also to have power to discuss and pass the budget.²¹⁶

The Constitution Act of 1947

The Bundi Government, after a detailed examination of the Constitutional Committee's draft constitution, passed the Bundi State Constitution, 1947, which was promulgated by Maharaja Bahadur Singh on July 10, 1947.²¹⁷ The main features of the con-

211. *File No. C/12/19 Year 1946-47.*

Bundi State Constitution, Bundi State, Mahkma-khas Department, Draft Constitution, Section 14.

212. *Ibid.*, Section 15.

213. *Ibid.*, Section 17(a).

214. *Ibid.*, Section 17(c).

215. *Ibid.*, Section 33.

216. *Ibid.*, Sections 35 and 36.

217. *Administrative Report, Bundi State, 1946-47, p. 7.*

stitution were :²¹⁸ (a) the establishment of an elected legislative assembly ; (b) the establishment of a High Court ; (c) provision for the appointment of three ministers from the elected representatives of the people ; (d) provision for the appointment of all ministers, including the Prime Minister, from the Dhara Sabha after five years ; and (e) the establishment of the Rule of Law.

Composition of the Dhara Sabha

According to the provisions of the Constitution of Bundi State, the Dhara Sabha was to consist of both elected and nominated members during the first five years.²¹⁹ The number of elected members was to be thirty-five. Out of the thirty-five elected members, thirty-one were to be elected from general constituencies and the remaining four from the special constituencies, jagirdars, graduates, Chamber of commerce and industries.²²⁰

For the purpose of elections, the State was to be divided into rural and urban constituencies. Bundi City, Patan, Nainwa, Lakheri and Hindoli were to be included in urban constituencies and the rest of the constituencies were to be put into the category of rural constituencies.²²¹ In the urban general constituencies, voting was to be done by secret ballot on the basis of universal adult franchise.²²² In the rural general constituencies, the electors were to be first chosen in the ratio of one for every hundred of the population on the basis of universal adult suffrage. These electors were to elect members for the Dhara Sabha on the basis of secret ballot.²²³ The Speaker and the Deputy Speaker were to be elected by the Dhara Sabha from amongst its members, provided that for the first period of five years the His Highness was to nominate a person as its Speaker and such a person was to be a member of the Dhara Sabha.²²⁴ The Speaker was to have the

218. Ibid.

219. *Bundi State Constitution*, 1947, Article 6(1).

220. Ibid., Article 6(2).

221. Ibid., Article 6(4).

222. Ibid.

223. Ibid., Article 6(5).

224. *Bundi State Constitution*, 1947, Article 7(a), p. 6

casting vote in case of a tie.²²⁵ The quorum was to be of twelve members.²²⁶ The term of the House was to be four years.²²⁷

Powers and Functions

The Legislature was given powers to make laws for Bundi State excepting matters and powers which were expressed to be vested in the Maharawal. The Maharawal, in his discretion, was entitled to disallow any such proposals as might (a) tend to interfere with the freedom of elections to the Dhara Sabha ; (b) infringe the rights, authorities or the jurisdiction vested in him under this Act; (c) infringe the constitution.²²⁸ A few subjects, such as the Maharawal's relations with the Government of India, the British Crown or with other Indian States were excluded from the purview of the Dhara Sabha.

The form of the Dhara Sabha was defective in many ways and it hardly satisfied the people. The Act of 1947, remained a mere legislation as the state authorities soon decided to merge the State in the union of Rajasthan.

General Comments

Political consciousness began to glow in the people of Bundi State as early as 1922. But it remained at a very low ebb for so many years. It was only in the post-War II period that political awakening made good progress. The Lok Parishad and its activities stirred the people to demand share in the government of the country. The Rulers of Bundi State followed progressive policies. Maharaja Iswari Singh had introduced elected element in the Tehsil Advisory Committee as early as 1938. He took a few steps to transform the former Advisory Committee into the Dhara Sabha at a time when the rulers of the other States were finding ready excuse in the Second World War to shelve the

225. Ibid., Article 7(7), p. 6.

226. Ibid., Article 7(8), p. 6.

227. Ibid., Article 5(3), p. 5.

228. Ibid., Article 7, p. 6.

reforms. Later on, Maharaja Bahadur Singh not only introduced major constitutional reforms but also took all the measures to ensure their success, e.g., the Government of Bundi informally and privately discussed with Pt. Rishi Dutt²²⁹ the Dewali Reforms (26-10-1946) as well as the tentative composition of the Constitution Reforms Committee.²³⁰ The Maharaja of Bundi was the first prince in Rajasthan who agreed to provide a Legislative Assembly elected on the basis of universal adult franchise. Thus the reformative outlook of the rulers of Bundi State and the political leadership of the Lok Parishad deserve credit for the establishment of the Legislative Assembly in the State. The Jagirdars were not very powerful and had very little influence on the reforms granted.

(C) HAROTI REGION—JHALAWAR STATE

The small principality of Jhalawar, ruled absolutely by the descendants of famous Jhala Jalam Singh of Kota, had witnessed constitutional reforms of vital importance in the forties of the present century without any overt political activities.²³¹ Its credit must be given to the progressive and democratic outlook of Raj Rana Harishchandra. On April 16, 1946, the Maharaja appointed a Constituent Assembly of 36 members (four ex-officio ministers and thirty-two non-officials) to prepare a constitution of the State.²³² The sub-committee of the Constituent Assembly prepared a questionnaire and circulated it in the public and answers were invited by the end of August, 1946.²³³ The work of the constitutional reforms received a setback from the rapid pace of political and constitutional progress in India. In the beginning of 1947, the Maharaja postponed the working of the Constituent Assembly for three months at first and then for indefinite period.²³⁴

229. A representative of the Lok Parishad.

230. *File No. C/12/10, Years 1945-46.*

Note of the Prime Minister of Bundi State, dated 15-10-1946.

231. Jhalawar State Praja Mandal was established in 1947. And as such political activities did not develop in Jhalawar State in the forties of the present century.

232. "*Jhalawar State Gazette*", Extraordinary 16-4-1946.

233. "*AISPC Rajputana Regional Conference News Bulletin*," November 29, 1946;

"*The Hindustan Times*", 7-10-1946.

234. In a talk to the Author on 15-10-1964.

In October 1947, the Maharaja announced a Scheme of Responsible Government in the State.²³⁵ According to the scheme, the Prime Minister of the State was to be elected by an electoral college consisting of the members of the Raj Panchayat, the Nizamat Panchayats and the Dehati Panchayats of the State. Preparations were soon made to elect the Prime Minister. Maharaja Harish Chandra joined the Jhalawar Rajya Praja Mandal in the beginning of 1948.²³⁶ On the 4th of February, 1948, the electoral college elected Maharaja Harish Chandra as the first elected Prime Minister of the State.²³⁷ Maharaja Harish Chandra's Ministry functioned till the integration of the State into the Union of Rajasthan.²³⁸

The foregoing survey of the evolution of legislatures in Haroti region of Eastern Division of Rajasthan reveals that much of the progress in the direction of constitutional and administrative reforms in the States of Bundi and Jhalawar was rather due to the progressive tendencies of the Rulers than to any overt activities of political organisations. Maharaja Iswari Singh, and Bahadur Singh of Bundi and Maharaja Harish Chandra of Jhalawar were progressive rulers and they took steps to modernise their administration in conformity with the needs of the time. Kota was the principal State of the Haroti region but it could achieve little in the direction of constitutional reforms. Maharaja Umed Singh was a very intelligent ruler. He maintained close associations with the people of the state by frequent tours in the State. People of the State had great love and regard for him and, as such, the Praja Mandal could make little contribution to the political life of the State. The Praja Mandal gained some popularity after the death of Maharaja Umed Singh, but even then it was not in a position to take any drastic step to achieve its objective of responsible government because the people had immense faith in and loyalty to the young Maharawal.

235. Shri Kanhaiya Lal Mital, in a talk with the author, on 17-6-1962, at Jaipur.

236. "*Mewar Praja Mandal Patrika*", 8th February, 1948.

237. Ibid.

238. Maharaja Harish Chandra in a talk with the Author on 15-10-1964.

In short, the constitutional and administrative reforms that took place in Haroti region were the result of the free will and initiative of the rulers, who, of course, were influenced by the rapidly changing political situation in the country. The position, however, in 1947-48 was that there did not exist a single legislative assembly in any of the States of the Haroti region. Though, in Bundi State, the constitution Act of 1947 was enacted with the aim to liberalise the constitution of the dissolved Dhara Sabha, yet the Act remained a pious hope. In the States of Kota and Jhalawar also, the talks of establishing legislatures were at elementary stage and the legislatures could not see the light of the day on account of the formation of the Union of Rajasthan.

Having studied the growth of legislatures in the various States of Rajasthan, we now proceed to make a comparative study of the composition, powers, and functions of the legislatures of the States of Bikaner, Jaipur and Jodhpur* in the next chapter as to enable us to have a clear picture of the nature and scope of legislatures in Rajasthan as they existed in the years 1947 and 1948.

*In 1947-48, Legislatures existed in Rajasthan only in the States of Bikaner, Jaipur and Jodhpur.

CHAPTER FIVE

The State Legislatures : A Study in Comparative Politics (Composition, Organization, Powers and Functions)

(1) COMPOSITION OF LEGISLATURES

The Nature of Legislatures

The legislatures of Bikaner and Jodhpur States were unicameral but that of Jaipur State was a bicameral one. The Bikaner State Legislature consisted of (a) the Maharaja of Bikaner, and (b) the Legislative Assembly.¹ The Jaipur State Legislature consisted of (a) the Maharaja of Jaipur, (b) The Representative Assembly, and (c) the Legislative Council.² The Jodhpur State Legislature consisted of (a) the Maharaja of Jodhpur, and (b) the Legislative Assembly.³ The bicameral legislature of Jaipur State was not a bi cameral legislature in the true sense of the term as normally understood in Political Science. The Legislative Council and the Representative Assembly were not like the upper and the lower Houses of a legislature. The Representative Assembly, as pointed out earlier in Chapter three, was a petitioning body, a House for representation, reference and consultation. The Legislative Council had some semblance to a real legislature, a House where legislations were considered and passed, the budget discussed and voted upon. Thus seeming bicameral legislature in Jaipur State was, in fact, a unicameral one in

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1. *Bikaner Legislative Assembly Edict*. 1945 and *Rules and Regulation made Therein*, Article 6 : *Administrative Report. Bikaner State*, 1944-45, p. 16.
 2. *The Government of Jaipur Act*, 1944, p. 3.
 3. *The Government of Jodhpur Act*, 1947, (published in the Government of Jodhpur Gazette), Article 16.

nature. The same was made absolutely clear by the Hirianaiya Constitutional Reforms Committee, which observed : "These two chambers do not stand in relation of a lower and an upper House but are intended to be supplementary to each other. The Council will not be a senate designed to act as a brake on a democratic lower House but the real effective chamber. . ."⁴

Size and Membership

The Legislative Council of Jaipur consisted of fifty-one members—thirty-seven elected and fourteen nominated by the government.⁵ Of the thirty-seven elected members, twenty-five were from the general constituencies, nine from the Sardar constituencies and three from the special constituencies, viz., women, labour and trade and industry.⁶ Of the twenty-five elected from general seats, four were reserved for the Muslims (which represented a weightage of about ninety-six per cent), who were also at liberty to contest other non-reserved seats.⁷ Of the fourteen nominated members, ten were officials including the ministers, secretaries to the Government and other officials, and the remaining four were non-officials including one Indian Christian.⁸ The Legislative Assembly of Jodhpur consisted of sixty-nine members, fifty-two elected and seventeen nominated.⁹ Of the fifty-two elected members, thirty-seven were elected from the general constituencies and fifteen from the special constituencies, viz, Maharaja, Rao-Raja and Jagirdars—4; other Landholders—2; Trade and Commerce—1; Industry—1; Labour—1; Kisans—4; Women—2.¹⁰ Of the four seats allotted to Jodhpur

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4. *Constitutional Reforms in Jaipur, Report of the Committee on Constitutional Reform*, 1943, Para 62, p. 34.
 5. *The Government of Jaipur Act*, 1944, Article 11;
The Legislative Council Rules, Government of Jaipur, 1945, Rule 3(1), p. 2.
 6. *The Legislative Council Rules*, Government of Jaipur, 1945, Rules 3(2) and 5.
 7. *Ibid.*, Rules 4 and 6, pp. 3-4.
 8. *Administrative Report, Jaipur State*, 1946-47, p. 103.
 9. *The Jodhpur State Legislative Assembly Electoral Rules*, 1946, Section 3.
The Government of Jodhpur Act, 1947, Article 20.
 10. *The Jodhpur State Legislative Assembly Electoral Rules*, 1946, Section 5.
The Government of Jodhpur Act, 1947, Article 17.

city, one was reserved for the Muslims.¹¹ Provision for the nomination of the Muslim members was also made in case they were not returned in specific number. Section 6(2) of the Jodhpur State Legislative Assembly Rules was very specific on the point which reads: "If the number of the Muslims returned by the territorial constituencies is less than five, the Government shall nominate such number of Muslims as shall make the number of Muslim members from the territorial constituencies not less than five."¹² Of the seventeen nominated members, eight were ex-officials, three officials and the remaining six non-officials. The Bikaner Legislative Assembly consisted of fifty-one members—twenty-nine elected and twenty-two nominated.¹³ Of the twenty-nine elected, three were from the 'Tazimi Sardars' constituencies, sixteen from the municipal constituencies and ten from the district-board constituencies.¹⁴ Of the twenty-two nominated members, six were ex-officials, five officials, two Tazimi Sardars, one Chhuthabhaiya, one Muslim of Bikaner city and the rest non-officials.¹⁵

A perusal of the composition of the legislatures in these three States reveals that theoretically speaking the composition of the Jodhpur State Legislative Assembly was more liberal and democratic than that of the Bikaner and Jaipur legislatures. Of legislatures in the States of Jaipur and Bikaner, the Jaipur State Legislature could be regarded as more democratic in character than the latter. The Jodhpur Legislative Assembly had about 75% elected members, the Jaipur Legislative Council about 72% and the Bikaner Legislative Assembly about 57%.

In all the three States the aristocratic class of the Thakurs and Jagirdars was given weightage, but in Jaipur and Bikaner States they were given greater weightage than in Jodhpur

11. *The Jodhpur State Legislative Assembly Electoral Rules*, 1946, Section 6(1).

12. *Ibid.*

13. *Regulation for the Nomination and Election of Members of the Bikaner Legislative Assembly*, 1945, p. 11.

14. *Ibid.*

15. *Ibid.*

State. In Jodhpur the number of the Thakurs and the Jagirdars was about 1,300 and they were provided with six seats only. In Bikaner, the number of the Thakurs and the Jagirdars was about 150 and they were provided with eight seats—three by election and five by nomination (i.e., Rajvee—2, Tazimi Sardars—2, and Chhuthhaiyas—1). In Jaipur State the number of Jagirdars and Thakurs was about 500 and they were provided with nine seats.

Women, Kisans and labourers were given a fair representation in the Jodhpur Legislative Assembly but they were not ensured any representation in the Bikaner Legislative Assembly. In Jaipur State, though some representation was given to women and labourers, yet it was altogether inadequate. In Jaipur and Jodhpur States, minority community (Muslims) was ensured a fair representation in the Legislature either by reservation of seats or by nomination but in Bikaner State only one seat, and that too through nomination, was provided to the Muslim community. The interests of the Scheduled Castes and the Scheduled Tribes were totally ignored in all the three States. No provision, either by election or nomination, was made to safeguard their representation.

In Jodhpur Legislative Assembly, equilibrium was maintained in giving representation to the population of the urban and rural areas but the case was different with the legislatures in Jaipur and Bikaner. In Bikaner State, out of twenty-six elected seats, sixteen were provided to the urban population and only ten seats to the rural population which formed a major part of the State population. The same was the case with Jaipur State also. In fact, the Legislative Council of Jaipur State was able to reflect only urban opinion to a considerable extent.

Method of Elections

Provision was made for direct elections on the basis of joint electorate in the States of Jodhpur and Jaipur.¹⁶ In Jodhpur

16. *The Legislative Council Rules, Government of Jaipur*, Rule 6, p. 3.

State, Constituencies were divided into two categories—general and special; while in Jaipur State they were divided into three categories—general, sardar and special.¹⁷ Indirect elections were provided in the State of Bikaner.¹⁸ Members of the municipalities and the district boards were to form electoral colleges to elect the members of the Legislative Assembly.¹⁹

Franchise

Adult franchise was not granted in any of the three States. In Jodhpur and Jaipur a person was eligible to vote in the elections to the legislature if he had attained certain age and possessed certain property or educational qualifications.²⁰ A careful study of the qualifications shows that the standard of qualifications prescribed for a person to be a voter in Jodhpur State was lower than what it was in Jaipur State, e.g., in Jodhpur State a person, if he had passed the Marawar Middle examination or other equivalent examination recognised by the government was eligible to vote, but in Jaipur State a person was eligible to vote only if he had passed the High School examination.²¹ Out of 25,55,904 persons, 2,80,000 persons were enfranchised in Jodhpur but in Jaipur State, out of 30,40,876 persons, only 1,25,000 were enfranchised.²² In Bikaner State, members of the municipalities and district boards of the State were eligible to vote in the elections to the Legislative Assembly. The number of total

17. *The Legislative Council Rules, Government of Jaipur, 1945, Table of Seats, p. 3.*

18. *Regulation for the Nomination & Election of Members of Bikaner Legislative Assembly, 1945, pp. 11-12.*

19. *File No. 66, Elections to the Legislative Assembly, 1945, Notification, dated 25th January, 1945.*

20. *The Legislative Council Rules, Government of Jaipur, 1945, Rules 10 and 16.*

The Jodhpur State Legislative Assembly Electoral Rules, 1946, Section 13.

21. *The Legislative Council Rules, Government of Jaipur, 1945, Rule 16(1), p. 7 ;*
The Jodhpur State Legislative Assembly Electoral Rules, 1946, Section 13(b).

22. *Jaipur, p. 40.*

voters for the Legislative Assembly in the State of Bikaner was 614, including the nominated members of local bodies.²³ Persons below the age of twenty-one years or of unsound mind, or who were not subjects of the Ruler, or undischarged insolvents, or dismissed government servants, or persons convicted of any offence and sentenced to imprisonment for not less than six months, were all disqualified to be voters in both the States of Jaipur and Jodhpur.²⁴

Qualifications and Disqualifications for Membership

A candidate for election to legislatures in the State of Bikaner, Jaipur and Jodhpur was required to possess certain qualifications regarding age, property or education. In Bikaner State persons of 25 years of age possessing either property or educational qualifications were eligible for elections to the Assembly.²⁵ In Jodhpur State, a person of 25 years of age who was also a literate, was eligible for election to the Assembly.²⁶ In Jaipur State, a person, who was of twenty-five years of age, a voter and a graduate (High School for women and depressed class candidates), was eligible for election to the Legislative Council.²⁷ Thus the qualification for election to the legislature was higher in case of Jaipur than what it was in Jodhpur and Bikaner. A person was disqualified for being chosen as a member of the legislature in all the three states if he was an official or of unsound mind, or an undischarged insolvent or a dismissed government servant or a person sentenced by a criminal court of the State or of British India to imprisonment for an

23. *File No. 66—Elections to the Legislative Assembly*, p. 8.

24. *The Legislative Council Rules, Government of Jaipur, 1945*, Rules 10 and 12, p. 5;
The Jodhpur State Legislative Assembly Electoral Rules, 1946, Section 12, p. 6.

25. *Regulation for the Nomination and Election of Members of Bikaner Legislative Assembly, 1945*, p. 3.

26. *The Jodhpur State Legislative Assembly Electoral Rules, 1946*, p. 6.

27. *The Legislative Council Rules, Government of Jaipur, 1945*, Rules 21 and 22, p. 9.

offence or if he was debarred from practising as a legal practitioner, etc.²⁸

Conditions of Office

The life of the legislatures in all the three States of Bikaner, Jaipur and Jodhpur was fixed at three years which could be extended by the Ruler of the concerning State²⁹ The Rulers were empowered to dissolve the legislatures even earlier than three years in all these three States³⁰ The members of the legislatures in the States of Bikaner, Jaipur and Jodhpur were required to take an oath of allegiance to His Highness the Maharaja before taking their seats in the legislatures³¹

(2) ORGANISATION AND WORKING OF LEGISLATURES

Officers of Legislatures

The most important and conspicuous officer in the House was, of course, the man who presided over the meetings. Provision for a President and a Deputy President was made in all the three legislatures. In Jaipur and Jodhpur States the Dewan or the Prime Minister was the ex-officio President of the Assembly or the Council³² In Bikaner State the president was the nominee of the Ruler and was to hold office during his pleasure³³ In

28. *The Jodhpur State Legislative Assembly Electoral Rules, 1946*, Section 16.

The Government of Jaipur Act 1944, Article 20(1) p. 7.

Regulation for the Nomination and Election of Members of Bikaner Legislative Assembly 1945, p. 13.

The Government of Jodhpur Act, 1947, Article 34.

29. *The Government of Jaipur Act, 1944*, Article 12, p. 4;

The Government of Jodhpur Act, 1947, Article 21(1).

30. *The Government of Jaipur Act 1944*, Article 13 (2b), p. 6.

The Government of Jodhpur Act, 1947 Article 21 (1 a, b).

31. *The Government of Jaipur Act, 1944* Article 18, p. 6.

Regulation for the Nomination and Election of Members of Bikaner Legislative Assembly, 1945, p. 12.

32. *The Government of Jaipur Act, 1944*, Article 16(1).

The Government of Jodhpur Act, 1947, Article 24(1).

33. *Bikaner Legislative Assembly Edict, 1945 & Rules and Regulation made therein*, Article 10(1), p. 4.

• Jaipur and Jodhpur States the Deputy President was elected by the members of the legislatures from amongst themselves.³⁴ In Bikaner State, the Deputy President was the nominee of the Ruler and held his office during the pleasure of the Ruler.³⁵ The presiding officer had the power of presiding over as well as adjourning a meeting. He was also to exercise casting vote in case of a tie. The presiding officer of the Bikaner Legislative Assembly had the power to determine which of the items of the demands for grant fell under the category of beneficial department.³⁶ Another important official of the Legislature was the Secretary. Provision was made for the appointment of a Secretary to the legislature in each State to carry on the day-to-day work.³⁷

Sessions

The powers to summon the sessions, to prorogue the meetings and to dissolve the legislatures vested in the Rulers of the respective States. But it was obligatory to summon at least two sessions a year.³⁸ Seventeen members in Jodhpur, twenty-four members in Jaipur and eighteen members in Bikaner constituted the quorum for the meetings of the legislatures.³⁹

Committees of Legislatures

Legislative bodies invariably save their time and gain in efficiency by delegating the preliminary consideration of bills and other proposals to various committees. The legislatures in the States of Jaipur, Bikaner and Jodhpur were no exception to this rule. Provision for the appointment of committees was

34. *Administrative Report, Jaipur State*, 1947-48, p. 70.

The Government of Jodhpur Act, 1947, Article 24(2).

35. *Bikaner Legislative Assembly Edict*, 1945 & *Rules and Regulation made therein*, Article 10(2), p. 4.

36. *Ibid.*, Article 20.

37. *Ibid.*, Article 10(4).

38. *Bikaner Legislative Assembly Edict*, 1945 & *Rules and Regulation made therein*, Articles 8, & 9, p. 3 ;

The Government of Jaipur Act, 1944, Articles 12 & 13, p. 4 ;

The Government of Jodhpur Act, 1947, Article 21(2).

39. *The Government of Jaipur Act*, 1944, Article 17(3), p. 6 ;

Bikaner Legislative Assembly Rules, 1945, Clause 2 ;

The Legislative Council Rules, Government of Jaipur, 1945, Rule 21 p. 8 ;

The Government of Jodhpur Act, 1947, Article 28(3).

incorporated in the constitutions of the legislatures in Bikaner, Jaipur and Jodhpur. We do not know anything about the form and the work of the committees in Jodhpur State as the Jodhpur Legislative Assembly, after its inauguration, got no opportunity to work even though it was summoned thrice. Bikaner Legislative Assembly had its Public Accounts Committee, Privilege Committee and Select Committees.⁴⁰ The Jaipur Legislative Council had the House Committee, the Committee of Privileges, the Public Accounts Committee, the Library Committee, and Select Committees.⁴¹ The Bikaner Legislative Assembly's Public Accounts Committee was first constituted in May, 1945. It consisted of 6 members, 4 elected by the members of the Assembly from amongst themselves and 2 nominated by the Government.⁴² The Finance Minister was the Chairman of the Committee. The Committee was reconstituted every year. It was empowered to check the accounts showing the appropriation of sums granted by the Assembly for the expenditure from the State revenue.⁴³ A detailed examination of the proceedings of the Bikaner Legislative Assembly reveals that though the Public Accounts Committee was reconstituted in 1946 and in 1947, yet its records were barren of any achievement, whatsoever. The Public Accounts Committee of Jaipur Legislative Council was first constituted in September 1945. It was reconstituted in 1946 and in 1947. It was composed of 6 members (4 elected and 2 nominated) with the Finance Minister as its Chairman. The Committee was empowered to scrutinise the audit and appropriation accounts of the Government.⁴⁴ The Committee submitted its reports to the Legislative Council in 1946 and in 1947.⁴⁵

The Privileges Committee was constituted in both the

40. *The Government of Bikaner Legislative Proceedings*, May, 1945, p. 31; "Bikaner Bulletin", August 1945, p. 9.

41. *Administrative Report, Jaipur State, 1947-48*, p. 70.

42. *The Government of Bikaner Legislative Proceedings*, May 1945, p. 31.

43. "Bikaner Bulletin", August 1945, p. 9.

44. *Jaipur Legislative Council Debates Official Report*, September 1945, Volume I, No. III; *The Legislative Council Rules, Government of Jaipur, 1945*, Rule 60 (I to III).

45. *Jaipur Legislative Council Debates, Fourth Session, Official Report*, March 1947, Volume IV, No. I, p. 9.

States of Bikaner and Jaipur in 1945. The Bikaner Legislative Assembly's Privileges Committee consisted partly of elected and partly of nominated members. It was empowered to examine all cases regarding the breach of the privileges of the House.⁴⁶ During the three years of its existence it did not hold even a single meeting.⁴⁷ The Jaipur Legislative Council's Privileges Committee consisted of seven members, 4 elected, 2 nominated and one Chairman. The Secretary of the Legislative Council was its ex-officio Secretary. The Committee had the power to consider and advise on matters relating to the privileges of the members collectively or individually and the privileges of the President of the House.⁴⁸ This Privilege Committee was summoned twice during the years 1945-46 and 1947-48, but the meetings could not take place for want of a quorum.⁴⁹

The select committees in the States of Jaipur and Bikaner were constituted on many occasions to consider and to report the bill introduced in the legislative bodies. The members of the select committees were appointed in both the States by the members of the legislatures when a motion to refer a bill to a select committee was made. The Chairman of the select committee was appointed by the President of the Legislature. The committee was required to submit its report within a fixed time. The committee had the power to collect all necessary information concerning the bill. The committee had the power to make any change in the draft bill. In Bikaner, forty-nine and in Jaipur fifty select committees were constituted during the tenure of the respective State Legislatures.

The Jaipur Legislative Council's House Committee was

46. "Bikaner Bulletin", August 1945, p. 9.

47. *The Government of Bikaner Legislative Assembly Proceedings* (From 1945 to 1947).

48. *Jaipur Legislative Council Rules, Government of Jaipur, 1945, Rule 64.*

49. *Jaipur Legislative Council Debates Session IV, Official Report, March 1947, Volume IV, No. 1, p. 34 ; Jaipur Legislative Council Debates Session VI, February 1948, Volume VI, p. 41.*

first constituted in 1945, and was then reconstituted in 1946 and 1947. It consisted of seven members, four elected and two nominated with the Finance Minister as its Chairman. The committee was required to consider and advise upon all matters connected with the convenience and comforts of the members of the Legislative Council.⁵⁰ The Jaipur Legislative Council's Library Committee was constituted by the President, in 1946. It was composed of the President of the Council and six nominated members. The committee was required to consider and advise upon matters connected with the Library.⁵¹ The Library Committee met only twice between 1947 and 1948.⁵²

It should be clear from the foregoing pages that though various committees existed in the legislatures of Jaipur and Bikaner States yet only the select committee did some useful work. Other committees either existed only on paper or did little to attract the attention of the people. It can be safely concluded that except the select committees other committees were in their initial stages of growth.

Political Parties and Interest Groups

There existed no political party in the Bikaner State Legislative Assembly. In Jaipur State there were four organised groups which could be regarded as equivalents to political parties in the Legislative Council. They were : the Praja Mandal Party; the Sardar Party; the Muslim Party; and the Independent Party.⁵³ The Praja Mandal Party and the Sardar Party consisted of those members of the Council who were returned on the tickets of the

50. *Jaipur Legislative Council Rules, Government of Jaipur, 1945, Rule 63; Jaipur Legislative Council Debates, Fourth Session, Official Report, March 1947, Volume IV, No. I, p. 34.*

51. *Legislative Council Rules, Government of Jaipur, 1945, Rule 68.*

52. *Jaipur Legislative Council Debates, Official Report, Volumes IV (No. 2), p. 17, and V (No. 3, p. 13).*

53. *Jaipur Legislative Council Debates, First Session, Official Report, September 1945, Volume I, No. I, pp. 2-5.*

Jaipur Raj Praja Mandal and the Jaipur Raj Sardar Sabha, respectively. The nominated and elected Muslim members of the Council combined themselves to form the Muslim Party. Successful independent candidates in the Council grouped themselves into the Independent Party. The objective of the Praja Mandal Party was to achieve a responsible government under the aegis of the Maharaja of Jaipur.⁵⁴ The Sardar Party and the Muslim Party had the objective of safeguarding the interests of the aristocratic class and the Muslim community, respectively.⁵⁵ The aim of the Independent Party was to ventilate the grievances of the subject people and to help the Government of the State to ameliorate the conditions of the masses. The strength of the Praja Mandal Party, the Independent Party, the Sardar Party, and the Muslim Party was fourteen, eleven, nine and four members respectively. The parties had their organisations in the Council but, except the party leaders, there were no other officials because the parties were still in their initial stage. Shri Daulat Mal Bhandari, Shri Swaroop Narayan Vyas, Thakur Kushal Singh and Shah Alimuddin were the leaders of the Praja Mandal Party, the Independent Party, the Sardar Party, and the Muslim Party, respectively. The position of the parties in the Legislative Assembly of Jodhpur State could not become distinct as they got no opportunity to function in an organised way.

Besides these political parties, there existed some interest-groups in the legislatures of Jaipur, Jodhpur, and Bikaner. In Bikaner, the business community was considerable in number. The next important and dominant group was that of the Rajputs.⁵⁶ The strength of the various classes in the Bikaner Legislative Assembly was : Business Community—14; Rajputs—12; Jats—6; Sikhs—2; Brahmins—7; and other classes—10. Like the business community in Bikaner, the lawyers occupied a very prominent place in the State Legislative Council of Jaipur. Of the 41 elected and nominated members, eleven belonged to the legal

54. Ibid.

55. P.C. Jain (Editor) : Op. Cit., p. 126.

56. *The Government of Bikaner Legislative Assembly Proceedings*, May 1945, pp. 1-2.

profession.⁵⁷ There was also Mrs. Sharda Bhargava, a lady representative from the special constituency of Women.⁵⁸ The position of interest-groups was not clear in the Jodhpur State Assembly as it did not function at all. It is, however, certain that it consisted mostly of reactionary elements; out of 42 members, there were seventeen Rajputs, ten Jains, six Muslims, and nine Brahmins and others.⁵⁹ In short, the Bikaner Assembly was predominated by the commercial class, the Jodhpur Assembly by the reactionary class and the Jaipur Legislative Council by the lawyer class. But the Jaipur State Legislature was the only political institution 'which had organised parties worth the name.

Privileges of Members

Members in the legislatures of Jaipur, Jodhpur and Bikaner had freedom of speech and immunity from legal proceedings in respect of anything said or done in the chamber or any committee thereof and from arrest or detention under a civil process during the continuance of a meeting of the House. Members of the legislature had the powers to ask questions, to move resolutions and adjournment motions, to move a bill for legislation, to vote and to make speeches in the House, subject to the rules and procedure of business.⁶⁰

(3) POWERS AND FUNCTIONS

The legislatures of all the three States of Bikaner, Jaipur and Jodhpur were, in principle, given wide powers in the fields of legislation, finance, administration, etc. In the field of legislation, they had equal powers. They could legislate on all matters

57. *Jaipur Legislative Council Debates, Session I, Official Report*, September 1945, Volume I, No. 1, pp. 2-5.

58. *Ibid.*

59. *Jodhpur Legislative Assembly Proceedings Report*, Session I, November 1947, pp. 1-2.

60. *The Government of Jaipur Act, 1944*, Article 22(1), p. 9; *The Government of Jodhpur Act, 1947*, Article 37; *Bikaner Legislative Assembly Edict, 1945 & Rules and Regulation made therein*, Article 21, p. 7.

•and for all subjects within the territory of their respective states and with the assent of the ruler.⁶¹ But their legislative powers were subject to a number of restrictions and limitations which neutralised to a very great extent the theoretical conferring of powers on them.

The Legislatures of all these three States were precluded from legislating on the subjects which affected the ruler's prerogatives, rights, powers, duties, privileges or status; the rights and privileges of the members of the ruling family; the management or control of the ruler's household or the household of the members of the ruling family; the ruler's relations with the British government or the government of any State in India; the State army; the relations of the sardars with the ruler and their personal or hereditary privileges, rights and status; matters governed by treaties or conventions or agreements subsisting or in force from time to time in between the State and His Majesty the King Emperor of India or the Government of India, or the Government of any Indian State; such other matters as may from time to time be specified by the ruler.⁶² The Legislative Council of Jaipur State also could not legislate on the subjects which affected the provisions of the Constitution.⁶³

In Bikaner and Jodhpur, previous sanction of the Ruler was needed to introduce a bill which might affect the provisions of the Constitution Act, the religion or the religious rites or usages of any class of the State, and any law or order promulgated by the Ruler in the exercise of his prerogatives.⁶⁴ In Jodhpur State the matters which affected the privileges of the members of the

61. *The Government of Jaipur Act, 1944*, Article 24 ;
Administrative Report, Bikaner State, 1944-45, p. 72 ;
Bikaner Legislative Assembly Edict, 1945 & Rules and Regulation made therein, Article 12, p. 5.

62. *The Government of Jaipur Act, 1944*, Article 27, pp. 11-12 ;
Bikaner Legislative Assembly Edict, 1945 & Rules and Regulation made therein, Article 17, p. 6 ;
The Government of Jodhpur Act, 1947, p. 6.

63. *The Government of Jaipur Act, 1944*, Article 27(d), p. 11.

64. *Bikaner Legislative Assembly Edict, 1945 & Rules and Regulation made therein*, Article 17(b), p. 6 ;
The Government of Jodhpur Act, 1947, Article 27.

Legislative Assembly, had to be referred to the Ruler for previous sanction.⁶⁵ In the States of Jaipur, Jodhpur and Bikaner matters which affected the revenue of the State and public department had to be referred to the Ruler for his sanction before their introduction in the Legislature.⁶⁶ The Rulers of all the three States could declare any bill, which was either refused leave to be introduced or rejected by the legislature, as passed.⁶⁷ Moreover, if the legislature refused leave to introduce or failed to pass any bill in a form recommended by the Government, the Ruler could declare that the proposal was essential for the good government, safety or tranquillity of the State and such bill, on such declaration, had the effect of an Act as if it was passed by the Legislature and assented to by the Ruler.⁶⁸ The Prime Ministers of Jaipur and Jodhpur States were given powers to return the bill, even before presenting it to the Ruler for his assent, to the Legislature for reconsideration and the Legislature was bound to reconsider the bill so returned.⁶⁹ The Rulers of the States of Jodhpur and Bikaner had the power to veto the bill and no other bill connected with the bill thus vetoed could be introduced in the Legislature before the expiry of a specific period (which was three years, in Bikaner and six months in Jodhpur) without the previous sanction of the Ruler.⁷⁰

It is clear from the above study that in all the three States of Jaipur, Jodhpur and Bikaner, legislatures enjoyed almost equal powers in the field of legislation. The position of the Legislative Council of Jaipur was, however, slightly better in comparison with the legislatures of Jodhpur and Bikaner. There were two reasons for it. Firstly, the condition of obtaining pre-

65. *The Government of Jodhpur Act, 1947*, Article 27(E).

66. *The Government of Jaipur Act, 1944*, Article 55 ; *Bikaner Legislative Assembly Edict, 1945 & Rules and Regulation made therein*, Article 17 (c) ; *The Government of Jodhpur Act, 1947*, Article 51.

67. *The Government of Jaipur Act, 1944*, Articles 26 and 30 ; *The Government of Jodhpur Act, 1947* ; Articles 32, 39 and 40 ; *Bikaner Legislative Assembly Edict, 1945 & Rules and Regulation made therein*, Articles 26 to 30.

68. *Ibid.*

69. *Ibid.*

70. *Bikaner Legislative Assembly (Business) Rules, 1945*, Clause 70 ; *The Government of Jodhpur Act, 1947*, Article 42; *Jaipur*, p. 41.

vious sanction to legislate on certain subjects affecting the religion or religious rites or usages of any class, any Act, proclamation or order made or passed by the His Highness, was not imposed. Secondly, the Ruler of Jaipur State very judiciously absented from using his special rights, privileges, etc. He, as such, contributed to the proper use of legislative power by the Legislative Council.

In the field of finance the legislatures of Jaipur, Jodhpur and Bikaner were given powers to discuss the budget.⁷¹ The power of Bikaner Legislative Assembly to discuss the budget was, however, limited as expenditure on a few subjects (e.g., Devasthan, the Privy purse and the civil list of the Ruler of Bikaner, or the members of the ruling family, expenditure incurred in pursuance of treaties or formal agreements in force and the expenditure incurred by the Ceremonial Department were excluded from the purview of the discussions of the Assembly. The legislatures in all the three States were given powers to vote the budget.⁷² Here also the power of Bikaner Legislative Assembly was limited as it had power to vote only on the demands of beneficent departments.⁷³ The financial powers granted to the legislatures were not complete in any of the three states. The State authorities had the power to restore the grant refused or reduced by the legislature.⁷⁴ Certain subjects were also excluded from the purview of the financial powers of these legislatures.⁷⁵

In the field of administration, the legislatures of the three States were given powers of interpellating the government, passing

71. *The Government of Jaipur Act, 1944, Article 31(1); Administrative Report, Bikaner State, 1944-45, p. 73; The Government of Jodhpur Act, 1947, Article 48(a).*

72. *The Government of Jaipur Act, 1944, Article 31(3); The Government of Jodhpur Act, 1947, Article 48(b); Bikaner Legislative Assembly Edict, 1945, and Rules and Regulations made therein, Article 20.*

73. *Administrative Report, Bikaner State, 1944-45, p. 73.*

74. *The Government of Jaipur Act, 1944, Article 33; The Government of Jodhpur Act, 1947, Article 49; Bikaner Legislative Assembly (Business) Rules, 1945, Clause 115.*

75. *The Government of Jaipur Act, 1944, Article 31(3); The Government of Jodhpur Act, 1947, Article 46.*

the resolutions, and moving adjournments.⁷⁶ The administrative powers of the Jaipur Legislative Council were wider than those of the legislative bodies of Jodhpur and Bikaner. Members of the Jaipur State Legislative Council had the power to move short-notice resolutions and short-notice questions.⁷⁷ The Legislative Assemblies of Bikaner and Jodhpur did not possess the power of moving short-notice resolutions. Moreover, by the Constitutional Amendment of March, 1948, Jaipur State Executive was made responsible to the Legislative Council of Jaipur and, as such, the Jaipur Legislative Council got a fair measure of control over the Executive of the State. But in Bikaner and Jodhpur, the Executive was not made responsible to the legislature and the former remained independent of the latter's control.

In miscellaneous matters, the legislatures in these three States were given power to frame rules and regulations for the conduct of their business and to appoint members of select committees, Public Accounts Committee, etc.⁷⁸ The legislatures of Jaipur and Jodhpur States had the power to elect their own Deputy President.

The foregoing account makes it quite clear that the Legislative Council of Jaipur State enjoyed wide powers and functions as compared with the Jodhpur and Bikaner legislatures. Of all the three legislatures, the Bikaner Legislative Assembly had the least powers and the fewest functions to perform.

(4) LAW MAKING PROCEDURE

Legislative Procedure

Clauses 45 to 71 of the Bikaner Legislative Assembly Rules, 1945; Rules 26 to 31 of the Jaipur Legislative Council Rules (Business) 1945, and Articles 37 to 54 of the Government of

76. *The Legislative Council Rules, Government of Jaipur, 1945, Clause 15; The Government of Jodhpur Act, 1947, Articles 29 and 43; Administrative Report, Bikaner State, 1944-45, p. 73.*

77. *The Legislative Council Rules, Government of Jaipur, 1945, Rule 6.*

78. *Administrative Report, Bikaner State, 1944-45, p. 14.*

Jodhpur Act, 1947, deal with the Legislative procedure.⁷⁹ The above Acts or Rules provided the following stages for a bill to pass through⁸⁰ :—

- (a) Leave to introduce the bill—First reading.
- (b) Discussions of the principles of the bill—Second reading.
- (c) The appointment of Select Committee to consider the bill—The Committee Stage.
- (d) Consideration of the report of the Select Committee—Report Stage.
- (e) Final passing of the bill—Third reading.

Every member of the Legislative Council or Assembly had the power to introduce ordinary bills. In Jaipur State, a non-official bill was to be introduced only by the previous sanction of His Highness.⁸¹ But money-bills could be introduced only on the recommendations of the Government.⁸² When a bill was passed by the Council, it used to be sent up for the sanction of the Ruler who had the power to accord or refuse his assent on the bill. In Jaipur and Jodhpur States, the Prime Minister of the State, instead of submitting the bill approved by the legislature for the assent of the Ruler, had the power to return the bill to the Council or Assembly for reconsideration in whole or in part, together with any amendments that he recommended.⁸³

Procedure of Budget

Clauses 107 to 114 of the Bikaner Legislative Assembly Rules, 1945; Articles 31 to 33 of the Government of Jaipur Act, 1944 [also Rules 41 to 50 of the Jaipur Legislative Council

79. *Bikaner Legislative Assembly (Business) Rules, 1945 ; The Legislative Council Rules, Government of Jaipur, 1945 ;*

80. *The Government of Jodhpur Act, 1947.*

81. *The Government of Jaipur Act, 1944, Article 25(2).*

82. *The Government of Jaipur Act, 1944, (Article 20).*

83. Some case studies illustrating the legislative procedure are given in Appendix III.

(Business) Rules 45] and Articles 44 to 49 of the Government of Jodhpur Act of 1947, deal with the Financial Procedure. It was laid down in the above Acts or Rules that every year Financial Statements or Budget was to be presented to the Legislature on the date specified by His Highness (or Prime Minister in Jaipur). On the day on which the Budget was to be presented, the Finance Minister or some other member was to present, along with the budget, to the legislature such explanatory statements as the Ruler considered necessary or was required to explain the budget. The budget was to be dealt with by the Assembly or Council in two stages : (i) a general discussion including the asking of questions for further information about any item in the budget, subject to the restrictions imposed ; (ii) voting on demands for grants made for different departments. On the scheduled date the budget used to be discussed as a whole or any question of principle involved therein. The Finance Minister had the power to reply at the end. After discussion, the demands were to be made and put to vote. Thereafter, the motion for the appropriation was to be made on the recommendations of the Ruler. The supplementary or the additional grants and excess grants, if any, were dealt with in the same way by the legislature as if they were demands for grants.⁸⁴

This comparative study of the composition, organisation, powers and functions of the legislatures in the States of Bikaner, Jaipur and Jodhpur, reveals clearly the nature and scope of the legislative bodies as they existed in Rajasthan in the years 1947 and 1948. These institutions had very little powers as the Rulers in all the three States were almost all powerful. They were the fountains of all authority in these States. All sovereign rights, prerogatives and privileges were vested in them. In spite of the establishment of legislative bodies in the States, the absolute power of the rulers to legislate remained inalienated. Article 4(2) of the Bikaner Legislative Assembly Edict, of 1945, Article 42 of the Government of Jaipur Act, 1944, and Article 6 of the

84. Some case studies illustrating the financial procedure are given in Appendix IV.

- Government of Jodhpur Act, 1947, were very specific on the subject. The rulers had the power to address the legislatures of the States and for that purpose could require the attendance of the members. They also had power to send messages to the Assembly and the Assembly, for all convenient despatch, was required to consider the matters commended by the Message.

The Jaipur State Legislative Council, as the above description shows, stands towering above other legislatures in Rajasthan on account of its better constitution and greater scope of authorities in the field of finance, legislation and administration. Well organised party groups, high academic standards of the members, administrative ingenuity of Sir Mirza Ismail and Shri V. T. Krishnamachari, and the position of the Executive as responsible to the Legislative Council (since 1948), were a few factors which provided the Legislative Council of Jaipur a pride of place among the other State legislatures in Rajasthan.

CHAPTER SIX

The State Legislatures : A Study in Comparative Politics

(A Critical Estimate of Their Achievements)

Introduction

The main purpose of the establishment of a legislative body is the enactment of laws by the people's representatives in the interest of the public. How did the State legislatures serve the interests of the people of Rajasthan? It is a question of great academic interest and importance. It is more so since the forms of the States in Rajasthan were monarchic. In Rajasthan, as discussed in the previous chapters, only the Legislative Assembly of Bikaner and the Legislative Council of Jaipur were somewhat nearer to the true form of a legislature.¹ As such, a detailed critical account of the work done by the State Legislatures of Bikaner and Jaipur and a critical estimate of the achievements of other State Legislatures in Rajasthan will certainly help us to gauge the significance and value of the legislative bodies in this land of legends.

ACHIEVEMENTS OF THE BIKANER LEGISLATIVE ASSEMBLY AND THE JAIPUR LEGISLATIVE COUNCIL

Sessions

The Bikaner State Legislative Assembly met forty-seven times in its entire life of 34 years and transacted legislative,

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1. The Jodhpur State Legislative Assembly, established in 1947, was also somewhat nearer to true form of a legislature. But the Assembly did not do any work except electing its Deputy President. As such, it is not possible to give a detailed account of the achievements of the Jodhpur Legislative Assembly.

administrative and financial business for 108 days. The Jaipur State Legislative Council was summoned seven times during its first term of three years, and transacted business for thirty-nine days in all. An analysis of the sessions summoned in a year and the number of days in a year on which the work was transacted reveals that the average of the sessions held in a year was 1.38 and 2.33, and that of days on which work transacted was 3 and 13 in Bikaner and Jaipur, respectively. The larger number of sessions summoned and the longer duration for which the Jaipur Council met enabled it to do better work in the field of administration, finance and legislation, than the Bikaner Legislative Assembly. The following lines will further elucidate it.

Legislation

The Legislative Assembly of Bikaner and the Legislative Council of Jaipur performed satisfactory work in the limited scope of their authorities. During the period from November 1913, to March 1947, 140 official and 6 non-official bills were introduced in the Legislative Assembly of Bikaner. Of the 140 official bills, 116 took their place on the statute book and the rest were withdrawn by the Government.² Of the six non-official bills, two [the Registration Bill, 1936,³ and the Code of Civil Procedure (Amendment) Bill, 1940⁴] were withdrawn by the mover; two [the Pre-examination (Amendment) Bill, 1923,⁵ and the Indebted Sahukar's Relief Act (Amendment) Bill]⁶ were not granted leave for consideration by the Assembly; one (the Prevention of the Sale of Girls in Marriage Bill, 1945)⁷ was circulated for eliciting public opinion and one (The Bikaner State Employees Bill, 1947) was referred to the

2. *File No. 106, Acts enacted in the Bikaner State from 1916 to 1947.*

3. *The Government of Bikaner Legislative Assembly Proceedings, 1936, p. 20.*

4. *The Government of Bikaner Legislative Assembly Proceedings, 1940, p. 71*

5. *The Government of Bikaner Legislative Assembly Proceedings, 1923, p. 20.*

6. *The Government of Bikaner Legislative Assembly Proceedings, 1929, p. 63.*

7. *Administrative Report, Bikaner State, 1945-47, p. 80.*

Select Committee in March 1947.⁸ The most important official bills which took the shape of Acts were : The Prevention of Juvenile Smoking Bill, The Registration Bill, The Stamp Bill, The Prevention of Adulteration Bill, The Municipal Act, The Public Gambling Act, The Workman's Breach of Contract Act, The Hindu Marriage Act, The Indebted Sahukars Relief Act, The Compulsory Education Act, The Trade Marks Act, The Cinematograph Act, The Land Revenue Act, The State Tenancy Act, The Protection of Disabled Persons Act, The Code of Civil Procedure Act, The Code of Criminal Procedure Act, The Railway Act, The Registration Act, etc.⁹

Of these Acts, The Land Revenue Act, The Tenancy Act, and The Indebted Sahukar's Relief Act were of great importance to the agriculturists. There was no codified law relating to the agricultural tenants and their holdings in the State; all matters affecting the tenants were governed by the '*Dastur-ul-Amal Adalat Maul*' of 1885, and by the various '*Hidayats*' and circulars issued on the subject from time to time. The Acts helped a great deal to ameliorate the condition of the peasants in the State. The Workmen's Compensation Act was also of great importance. It helped in safe-guarding the interests of the labourers in factories as it enabled the workers of factories to get compensation from their employers in case they received injury while working in the factories. The Municipal Act and the Panchayat Acts were of great importance as they laid the foundation of local self-governing institutions in the State. The Death Feast Prevention Act was also a great step to check a widely prevalent social evil.

In the Jaipur State Legislative Council, 101 official and 25 non-official bills were introduced in all. Out of these, ninety-four official and fourteen non-official bills were enacted. At the close of the 7th session of the Council, five official and four non-official

8. Ibid.

9. File No. 106, Acts enacted in the Bikaner State from 1916-1947,

• bills were pending with Select Committees and six non-official bills were pending without any further motion. One official bill was rejected by the House and two bills, one official and one non-official, were withdrawn. A few of the legislations were of great importance. The State Land Tenure Act and the Land Revenue Act helped remove the conspicuous tenacity of laws in regard to land-tenures and land-revenue administration. The Forest Act and its Amendment was a progressive step towards the preservation and regulation of forests in non-khalsa areas. The Village Service Act, the Agricultural Produce (Grading and Marketing) Act, the Warehouses Act and the Discontinuance of Cesses Act had an important bearing on the regulation of the village-life and village-market and afforded much needed relief and facilities to the agriculturists in several directions. The District Board Act and the Gram Panchayat Act were conspicuous instances of the growing interest shown in raising the level of local self-government in rural areas. Mr. V.T. Krishnamachari termed the District Board Act as 'a Charter to the Rural Population of the State'.¹⁰

The Payment of Wages Act, the Trade Union Act, the Industrial Disputes Act, the Factories Maternity Benefit Act, the Employees Liability Act, the Children Act, the Boilers Act, etc., helped a great deal in improving the conditions of the labour class and in securing social justice. The Prevention of Funeral Feast Act, the Prevention of Unequal Marriages Act, the Harijan Act (The Removal of Social Disabilities), the Abolition of Daroga Dowry System Act, the Excise Law (Amendment) Act, the Epidemic Diseases Act, the Lepers Act, the Drugs Act, The University of Rajputana Act, and the Primary Education Act helped to promote and develop the cause of social welfare, public health and education.

An analytical study of the legislative work performed by the Legislative Council of Jaipur State reveals that the Government

10. *Jaipur Legislative Council Debates, Fifth Session, Official Report, August-September 1947, Volume V, No. 8, p. 29, Jaipur, p. 77.*

was responsive to the feelings expressed by the members of the Council. The Ministers and the Secretaries, on several occasions, accepted the amendments put forth by the members. The withdrawal of the Jaipur Quazis Bill, on August 21, 1946, is illustrative of the fact that though the Executive was not responsible to the Council yet it was liberal enough to respect the sentiments of the members of the Council. Twenty-five non-official bills were granted leave for introduction during the first tenure of the Council. Of these, 14 bills took the shape of law. The chief among them were : the Abolition of Daroga Dowry System Act, the Hindu Married Women's Right to Separate Residence and Maintenance Act, the Hindu Women's Right to Property Act, the Prevention of Unequal Marriages Act, and the Jaipur Raj Panchayat Act. The fact that all these Acts of fundamental importance could take the shape of law, is enough to prove that the Jaipur Legislature did well in the field of legislation.

Although, the record of the Bikaner Legislative Assembly is not as impressive as that of the Jaipur Legislative Council, yet its achievements were also notable. The Assembly had the credit of enacting several legislations to ameliorate the condition of the masses. A critical perusal of the proceedings of the Legislative Assembly and other official records reveals that non-official elements were not given much encouragement. During the entire life of the Assembly, only 4 non-official bills were granted leave for consideration in the House. Of these, two were withdrawn and two were pending with the committees in 1947. During the reign of Maharaja Ganga Singh the non-official opposition group was ruthlessly suppressed. The bills were passed at the behests of the Government. The position of the Legislature improved to some extent during the reign of Maharaja Shadul Singh. The members of the Assembly were found criticising the principles and sections of the proposed legislation. The Government, however, had its way through the support of the official, the nominated and the reactionary elected members. On the whole, we can say that the Bikaner Legislative Assembly's achievements lacked public spirit and, as such, they were inadequate to serve the cause of the people.

ADMINISTRATION

Resolutions

The State Legislatures of Bikaner and Jaipur had, from their very inception, the powers to discuss and pass resolutions on all subjects not excluded from their purview. During the period of thirty-four years of the Bikaner Legislative Assembly, the members gave notice of about three hundred resolutions.¹¹ These resolutions related to various subjects, such as social evils, economic uplift, constitutional reforms, educational facilities, provisions for employment, social welfare and land reforms. The following were the resolutions involving matters of fundamental concern : (1) the Resolution regarding the removal of restrictions imposed on the sale or mortgage of Land in Ganga Canal area without sanction ;¹² (2) the Resolution regarding the prevention of early and unequal marriages amongst the Dwij section of the Hindus in the State ;¹³ (3) the Resolution regarding the substitution of Hindi for Urdu in all the departments of the State ;¹⁴ (4) the Resolution regarding the employment of the Bikaneries in the Railway offices, such as the Traffic, Loco and the Workshop ;¹⁵ (5) the Resolution proposing the imposition of a tax of Rs. 40/- per maund, on the import of vegetable ghee in the State ;¹⁶ (6) the Resolution for arrangements providing Boarding Houses in all the towns wherever there were Middle Schools ;¹⁷ (7) the Resolution regarding the reservation in a passenger train of a third class compartment for Chamars and Mehtars,¹⁸ (8) the Resolu-

11. *The Government of Bikaner Legislative Assembly Proceedings*, 1921 to 1947 ;
Administrative Reports, Bikaner State, 1912-13 to 1945-47.

12. *The Government of Bikaner Legislative Assembly Proceedings*, April 1923, pp. 9-10.

13. *Ibid.*, p. 37.

14. *Ibid.*, p. 57.

15. *Ibid.*, p. 26.

16. *The Government of Bikaner Legislative Assembly Proceedings*, August 1927, p. 16.

17. " " " " „ January 1928, p. 34.

18. " " " " „ September 1928, p. 15.

tion authorising a Magistrate to compel a man to maintain a widow kept by him as a mistress and subsequently turned away on her bearing a child ;¹⁹ (9) the Resolution regarding the flying of kites ;²⁰ (10) the Resolution for the establishment of a Primary School in every village of the State with a total population of 500 or above ;²¹ (11) the Resolution urging to ban the practice of making 'chelas' and 'chelis' of minor boys and girls ;²² (12) the Resolution regarding the establishment of a Bikaner Chamber of Commerce ;²³ (13) the Resolution for providing greater facilities to a bona fide Bikaneri subject by granting him a special scholarship for receiving technical education ;²⁴ (14) the Resolution for the appointment of a Commission to investigate into the administration of Civil Supplies Department ;²⁵ (15) the Resolution regarding the bad conditions of roads and culverts near Ganganagar ;²⁶ (16) the Resolution regarding the lack of any real and substantial progress in the industrialization of the State.²⁷

Out of these three hundred resolutions, one hundred and sixty-three were taken up for consideration.²⁸ A detailed study of the proceedings of the Assembly reveals that most of the resolutions were withdrawn after having been moved and discussed. Of the one hundred and sixty-three resolutions, seventy-two were passed, sixty-one withdrawn, seventeen rejected, seven dropped because they could not find support and the remaining six were approved by the Government.

19. *The Government of Bikaner Legislative Assembly Proceedings*, September 1928, p. 16.

20. " " " " " " " " April 1929, p. 36.

21. *Ibid.*, p. 38.

22. *The Government of Bikaner Legislative Assembly Proceedings*, December 1929, pp. 29-31.

23. *Ibid.*, p. 31.

24. *The Government of Bikaner Legislative Assembly Proceedings*, January 1940, p. 32.

25. *The Government of Bikaner Legislative Assembly Proceedings*, March 1946, p. 45.

26. *The Government of Bikaner Legislative Assembly Proceedings*, January 1947, p. 24.

27. "Bikaner Bulletin.", January 1947, p. 25.

28. *Administrative Reports, Bikaner State, 1912-13 to 1945-47* ; *The Government of Bikaner Legislative Assembly Proceedings, 1921 to 1947*,

Of the seventy-two resolutions passed, fifty were pertaining to the royal families of the Maharaja and the King Emperor of England moved on various formal occasions of birth, death, marriage, recovery from illness, and granting of constitutional reforms. Some of the other resolutions were of varied importance involving a change in the basic policy of the State, whereas the others were of little importance involving convenience or sentiments. For example, the resolution regarding the opening of the city gates one hour earlier²⁹ was only for convenience or the resolution regarding the declaration of Akha Teej as a public holiday³⁰ was sentimental, as Akha Teej is a Hindu festival. But the resolution regarding the imposition of tax on vegetable ghee³¹ was of fundamental importance involving change in the basic policy of the Government.

During the period from September 1945 to August 1948, the members of the Jaipur State Legislative Council gave notice of 211 resolutions.³² These resolutions embraced diverse subjects, such as social welfare, planning, education, judiciary, land reforms, civil supplies and military training. Those involving matters of fundamental concern were : (1) that Vegetable ghee in the State of Jaipur be prohibited ;³³ (2) that Compulsory and free primary education be introduced in the State;³⁴ (3) that an anti-corruption Committee be formed in the State ;³⁵ (4) that a representative of Jaipur State to the Constitutional Assembly of India be elected by the House;³⁶ (5) that the prices of the food-grains and essential commodities be kept low ;³⁷ (6) that a res-

29. *The Government of Bikaner Legislative Assembly Proceedings*, 1938, pp. 14.

30. " " " August 1942, pp. 45-49.

31. " " " August 1927, p. 16.

32. *The Jaipur Legislative Council Debates, Official Report*, Volumes I to VI ;
Administrative Report, Jaipur State, 1947-48.

33. *Jaipur Legislative Council Debate, I Session, Official Report*, Volume I No. 6, September 1945, p. 17.

34. *Ibid.*, p. 16.

35. *Jaipur Legislative Council Debates, II Session, Official Report*, Volume II, No. II, March 1946, p. 36.

36. " " " Volume II, No. 4, March 1946, p. 42.

37. *Ibid.*, p. 44.

possible government be established in the State ;³⁸ (7) that the improved methods of agriculture be introduced ;³⁹ (8) that the Judiciary be separated from the Executive;⁴⁰ (9) that the compulsory military training be introduced and steps be taken for the formation of Officers' Training Corps. ;⁴¹ (10) that Hindi in Devanagari Script be declared the official language of the State and its use in all the government records and offices be made compulsory;⁴² (11) that an Advisory Council be established for the thikanas of Sikar, Khetri and Uniara ;⁴³ (12) that the adolescents be prohibited from visiting cinema-houses.⁴⁴

Of the 211 resolutions tabled, 33 were passed; 133 were either withdrawn or rejected ; 25 were not taken up for want of time ; 2 were lost when put to vote ; 2 were disallowed; and 16 were not moved at all. Of the 23 resolutions passed, 7 were related to the royal family and the rest were pertaining to general matters. Some of the general resolutions passed were of great significance, e.g., the Resolution No. 2 of March 1946, recommending independence of Judiciary and the Revenue Department ;⁴⁵ Resolution No. 5, recommending that only the elected representatives of the public of Jaipur State should have the right to represent the Jaipur State in the Constitutional Assembly of India;⁴⁶ and Resolution 15 requesting the Maharaja Sahib to take immediate steps to establish a responsible government in the State.⁴⁷ The Government of Jaipur State did its best to

38. Ibid., Volume II, No. V, p. 33.

39. Ibid., p. 39.

40. Ibid., Volume II, No. VI, p. 12.

41. *Jaipur Legislative Council Debates, V Session, Official Report*, August-September 1947, Volume V, No. 6, pp. 73-76.

42. Ibid., Resolution No. 12, 17, 22 and 25.

43. Ibid., p. 72.

44. *Jaipur Legislative Council Debates, VI Session, Official Report*, February 1948, Volume VI, p. 1234.

45. *Jaipur Legislative Council Debates II Session*

March 1947, Volume II, No. IV, p. 12.

46. " " March 1947, Volume II, No. III, p. 42.

47. " " " March 1947, Volume II, No. IV, p. 24.

implement the resolutions passed by the Council as far as circumstances permitted. e.g., the Resolution No. 5, referred to above, was implemented. The Legislative Council elected two members to represent the State of Jaipur in the Constituent Assembly. Resolution No. 15 of March 1946 was also implemented by amending the constitution and appointing Shri H. L. Shastri as the Mukhya Sachiva in 1948.

A critical perusal of the resolutions given notice of and actually taken up for consideration reveals that the Jaipur Legislative Council did substantial and laudable work in the field of resolutions pertaining to administration. Though most of the resolutions were withdrawn after having been moved and discussed yet the members had achieved their main objective of acquainting the Government with the popular demands. The Government, too, was not a mere passive observer to these demands which had emanated from the people's representatives on the floor of a representative institution and so the Government left no stone unturned to satisfy the people's legitimate demands as far as the circumstances permitted them to do so. The resolutions given notice of and actually taken up for consideration included a few short-notice resolutions which were indicative of the keen interest of the members in the matters of public interest.

But the Bikaner Legislative Assembly suffers greatly in comparison with the Jaipur Legislative Council because it did not do much appreciable work and the output was comparatively meagre. During the period of thirty-four years of its existence, 300 resolutions were given notice of but only 163 resolutions were taken up for discussion. Several resolutions were not included into the agenda of the Assembly on the plea that they were against public interests. Such resolutions included a resolution regarding the abolition of the Jagir System⁴⁸ and another regarding an hour's lunch recess to the employees of the State Govern-

48. *File No. 16.* Resolution proposed to be moved in December 1946 Session but which were withdrawn, disallowed and not permitted, p. 6.

ment.⁴⁹ It is surprising to note that even a resolution of congratulations on the formation of Interim Government of India,⁵⁰ was not included into the agenda on the plea that 'it would not be right to comment on such action of another Government.'⁵¹

Even if the Government allowed the discussion of the resolutions in the Assembly, it was possible for the Government to prevent their adoption with the support of the nominated and elected reactionary members. A good number of resolutions, such as regarding the grant of summer vacation to the Civil Courts,⁵² and regarding the prevention of early and unequal marriages among the Brahmins, were torpedoed with the help of majority. Of the 72 resolutions passed, 50 pertained to the royal family and the remaining 22 were general resolutions. Excepting a few of the 22 general resolutions, all were of little significance. Resolutions regarding the arrangements for the lodgings of the members of the Assembly, addition of rooms to the Dak Bungalow, and the construction of a Railway gate involved no basic change in the Government policy, required no great financial liability and were of little benefit to the masses. Moreover, the Government took steps to implement only 14 resolutions out of the 22 passed.

Interpellation

The right of interpellation was used by the members of the State Legislatures of Bikaner and Jaipur to a great extent. The members of the Bikaner Legislative Assembly gave notice of one thousand four hundred and nine questions during the period from November 1913 to March 1947. These questions related to

49. *Ibid.*, p. 19.

50. The Resolution reads : "The Assembly begs to place on record its profound joy on the formation of the first Interim National Government at the Centre and begs to request His Highness the Maharaja to be graciously pleased to convey to Pt. Nehru, the Vice-President of the Interim Government, its heartiest congratulations."
File No. 16. Resolution proposed to be moved in Dec., 1946 sessions, but which were withdrawn, disallowed and not permitted, p. 27.

51. *The Government of Bikaner Legislative Assembly Proceedings*, December 1929, p. 37.

52. " " " May 1923, p. 37.

almost all the departments of the Government not excluded from the purview of the Bikaner Legislative Assembly. A few of the questions related to the scarcity of cloths in Bikaner, the improvement of the means of communications between the Southern and Eastern parts of the State, the increase in the scale of dearness allowance, the extension of veterinary aid to all parts of the State, the institution of a Public Service Commission, the improvement in cattle breed, the establishment of a Medical College in Bikaner, the spread of Adult Education, the introduction of compulsory primary education, the construction of roads, the arrangements for an X-ray plant, the promotion of the Ayurvedic System of Medicine, the relations between the Thikanedars and Agriculturists. etc. Answers to all but thirty-six questions were given by the Government.

The non-official members of the Jaipur State Legislative Council gave notice of 650 questions in all and answers to all but thirty-three questions were given by the Government. These questions related to almost all the departments of the Government not excluded from the purview of the Council. Some questions involved the matters of fundamental importance, such as control on cloth and sweets, the construction of roads, the promotion of Ayurvedic System of medicine, relations between the Jagirdars and Kisans, the introduction of compulsory education, the separation of the Judiciary from the Executive, the starting of a bus-service in the city of Jaipur, the abolition of Chaukidari Mina system, the admission of Matriculates of the Punjab University to the Maharaja's College, Jaipur, the prevention of tension between the Bhomias and Jats of Udaipurwati (in Jhunjhunu district), and meeting the demands of the sweepers of Jaipur City. Of the 650 questions, 47 were short-notice questions. This fact is indicative of a keen vigilance on the part of the members of the Council. Several supplementary questions were also asked. They denote that the members of the Jaipur State Legislative Council took keen interest in public matters.

Adjournment Motions

The non-official members of the Jaipur State Legislative Council and the Bikaner State Legislative Assembly used the

power of moving adjournments only to a little extent. During the period from May 1945 to March 1947, the Bikaner State Legislative Assembly received notice of only one adjournment motion.⁵³ On March 25, 1946, Seth Santosh Chand moved a motion to discuss the situation aroused by the unconstitutional imposition of income tax on the earnings of the licensees of minor factories.⁵⁴ The President of the Assembly did not permit it as the motion did not involve public interest.⁵⁵ In Jaipur, only two adjournment motions were given notice of in three years. On March 26, 1946, Shri Damodar Lal Vyas asked the President of the Council for permission to move an adjournment motion to discuss certain happenings in Uniara.⁵⁶ The President did not grant permission as the motion sought to discuss a number of different matters.⁵⁷ On March 10, 1947, Shri Nemichand Kasliwal gave notice of an adjournment motion to discuss the happenings in the village of Chardena in Shekhawati. It was accompanied by a statement.⁵⁸ The President of the Council granted leave to move the motion

53. The power of moving adjournment motions was given to the Assembly under the Bikaner State Legislative Assembly Edict, 1945.

54. *The Government of Bikaner Legislative Assembly Proceedings*, March 1947, p. 56.

55. *Ibid.*, p. 57.

56. *Jaipur Legislative Council Debates, Official Report, II Session*, March 1946, Volume II, No. 5, p. 10.

57. *Ibid.*

58. The statement reads: "On the 14th February, between 2 o'clock and 3 o'clock in the afternoon when a peaceful meeting of several thousand cultivators was in progress in village Chardena, Shekhawati, an armed gang of Bhomias made attack on the meeting. The Bhomias many of whom came on horse back and camel back were armed with guns, swords and lathes. At least one person was killed by gun shot and nearly 60 to 70 including some women were injured. Attack was also made on Pt. Tikaram Paliwal, President of the Praja Mandal. The blows were aimed at his head but he managed to ward them off with his left hand. The attackers took away property. They even snatched away clothes.

"A sub-inspector was in attendance but he simply looked on in a disinterested fashion and made no attempt to check the ruffians, nor did he make any arrest there.

"I propose to move an adjournment of the business of the Legislative Council for the purpose of discussing this, a definite matter of urgent public importance and of recent occurrence. For it shows the total failure of the government to maintain law and order in the Shekhawati and to protect the life and property of the subjects of His Highness the Maharaja."

in the House. After some discussion, Shri Kasliwal withdrew the motion.⁵⁹

FINANCE

The Bikaner Legislative Assembly had from its very inception the powers to discuss the State-budget and make suggestions. In 1945, Maharaja Shardul Singh granted it the powers also to pass the budget. The first budget for the year 1917-18 was presented to the Assembly in the year 1917.⁶⁰ In between 1917 and 1947, the Assembly dealt with the State budget for 29 times,⁶¹ but voting on demands for grants took place twice only, i.e., for the year 1946-47 and 1947-48. Fourteen cut-motions were tabled, of which ten were withdrawn and four lost when put to vote.⁶² In Jaipur, the State budget was presented to the Legislative Council four times but the voting on demands for grants took place only thrice, i.e., for the years 1946, 1947 and 1948. One hundred and sixty-four cut-motions in all were tabled during its three sessions when the voting on the budget was held. A few of the cut-motions, such as the cut-motion No. 5 (August Session, 1946) and No. 7 (also of August Session, 1946) were carried on with overwhelming majority.⁶³

A critical study of the available records of the proceedings of the legislatures of Jaipur and Bikaner reveals that the Jaipur Legislative Council did well in the field of financial activities as compared with the Bikaner Legislative Assembly. In the Jaipur State Legislative Council, the standard of discussions on the budget was high. The members of the council took keen interest in the general discussions of the principles of the budget. Seven-

59. *Jaipur Legislative Council Debate, Official Report, IV Session, March 1947, Volume IV, No. I, pp. 59-60.*

60. *Administrative Report, Bikaner State, 1917-18.*

61. *The Government of Bikaner Legislative Assembly Proceedings, 1921 to 1947; Administrative Reports, Bikaner State, 1913 to 1945-47.*

62. *The Government of Bikaner Legislative Assembly Proceedings, March 1946 and also March 1947.*

63. *Jaipur Legislative Council Debates, III Session, Official Report, August 1947, Volume III, pp. 56-57.*

teen members participated in the two-day long general discussions over the budget for the year 1947. The number of cut-motions proposed by the members during the first term of the Council speaks volumes of the keen interest the members took in the State-budget.

The record of the Bikaner State Legislative Assembly was not so impressive as that of the Jaipur State Legislative Council. Before 1945, the speeches on the budget in the Bikaner State Legislative Assembly were not of good standard. The members spoke less relevant to the budget. They used to speak in praise of His Highness and his Government and had nothing to say about the appropriateness, or otherwise, of the different items of income and expenditure. The standard and the nature of discussions on the State-budget can well be judged from the following extract from a speech delivered by a member of the Assembly:

“In fine, I would say that the financial condition of the State is progressing day by day and the present year’s budget also shows that the condition seems to be quite hopeful and satisfactory. On behalf of this assembly, this time I specially tender my grateful thanks to His Highness and his Government for preparing the budget on new form, with many details and explanatory notes annexed thereto, thereby making it easy to be grasped by the members of this House. The pains His Highness has taken in preparing all the details and in presenting the budget in new form is quite obvious from viewing the budget and the members of the Assembly feel highly grateful for this. May God give the Maharaja sound health, and long years.”⁶⁴

Several such speeches can be cited to prove that the members eulogised the Maharaja and his government and said nothing about the budget and its impact on the masses. In this connection Mr. Sarangdhar observed : “The Bikaner Legislative Assembly was a packed house meant to carry out the behests of

64. *The Government of Bikaner Legislative Assembly Proceedings*, March 1935, p. 34.

the government of the Maharaja of Bikaner. Copies of the budget were delivered to the members on the day previous to the debates and the whole budget passed within a few hours."⁶⁵ But the things improved after 1945. The members of the Bikaner Assembly started departing from the old practice of extolling the Maharaja and his government. The standard of discussions on budget also improved. The members were found discussing general principles of budget and commenting on the policies followed by the Government. In 1946, nine members participated in the discussions on the State-budget for the year 1946-47. This was a marked improvement in the practice of the previous years. However, the fact remains that the things were not as bright as they ought to have been.

A Critical Estimate of the Achievements of other State Legislatures

The foregoing description of the achievements of the State Legislatures of Bikaner and Jaipur may create an impression that the State Legislatures worked satisfactorily in Rajasthan in general.⁶⁶ But a critical study of the achievements of the legislative bodies of Banswara, Bundi, Bharatpur, Dungarpur, Jodhpur, and Tonk reveals that they did not do any substantial work. An analysis of the number of sessions summoned and the number of days on which the business was transacted reveals that, of all the State legislatures in Rajasthan, the Brij-jaya Pratinidhi Samiti of Bharatpur had the best average in the number of sessions summoned in a year and the number of days on which work was actually done in a year. But in spite of more sessions and greater number of working days on the average, the achievements of the Brij-jaya Pratinidhi Samiti were very disappointing and the total output was very little. The achievements of the Rajya Parishad of Banswara, the Dhara Sabha of Bundi, the Representative Advisory Assembly of Jodhpur, the Majlis-I-Amman of Tonk were so meagre and insignificant that they hardly deserve any mention.

65. Sarangdhardas : Op. Cit., p. 84.

66. The details of the achievements of the Legislatures in the States of Bundi, Bharatpur, Banswara, Dungarpur, Jodhpur, and Tonk are given in Chapter II, III, and IV.

Administration

Of the State Legislatures of Bundi, Banswara, Bharatpur, Dungarpur, Jodhpur and Tonk, only the Brij-jaya Pratinidhi Samiti of Bharatpur, the Dhara Sabha of Bundi and the Representative Advisory Assembly of Jodhpur were assigned limited functions in the administrative field. They were given power to pass resolutions. The Bundi Dhara Sabha discussed only fifteen resolutions in three years. Resolutions of basic importance, such as presentation of the State-budget for discussion in the Assembly and the establishment of the Judicial Committee as the highest court of appeal, were rejected by the Assembly. The Jodhpur Representative Advisory Assembly adopted only 189 resolutions out of 403 resolutions discussed in the Assembly. These resolutions were of very little political significance, e.g., the resolution regarding the prohibition of death feasts⁶⁷ and the prohibition of 'Illaji'* on the occasion of Holi.⁶⁸ A great number of resolutions including the enactment of the Compulsory Primary Education Legislation,⁶⁹ the Restriction of the Sale of Girls,⁷⁰ the establishment of co-operative societies in the State,⁷¹ the enhancement of the activities and powers of the Panchayats,⁷² etc., were rejected by the Assembly. The Bharatpur Brij-jaya Pratinidhi Samiti, during its first term, passed 93 resolutions of very minor significance. All these examples go very far to prove that excepting the Jaipur Legislative Council and Bikaner Legislative Assembly, other legislative bodies in Rajasthan could not do anything substantial and laudable.

Moreover, the resolutions passed by the legislative bodies were of the nature of recommendations and the State authorities

67. *The Jodhpur Government Representative Advisory Assembly, III Session, Proceedings Report*, July 1942, p. 35.

68. *Ibid.*, p. 43.

69. *The Jodhpur Government Representative Advisory Assembly, II Session, Proceedings Report*, March 1942, p. 39.

70. *The Jodhpur Government Advisory Assembly, III Session, Proceedings Report*, July 1942, p. 41.

71. *Ibid.*, p. 43.

72. *Ibid.*, p. 53.

* *Illaji* : A big image of the male organ exhibited in public as a symbol of phallic worship on the occasion of Holi,

were not bound to honour them. In most cases, the State authorities remained indifferent to various resolutions and, at times, when they had to implement any resolutions, they did it only half-heartedly.

The members of the State legislatures, other than those of Bikaner and Jaipur, could not do any appreciable work even in interpellating the government and moving the adjournments. The governments of various States refused to answer the questions many times. On several occasions, the State authorities were found reluctant to supply the information sought by the members of the legislatures. For instance, a member of the Jodhpur Representative Advisory Assembly could not get necessary information even after putting one main and nineteen supplementary questions. So he had to make an appeal to the President of the Assembly to safeguard the rights of the members so as to enable them to get satisfactory replies to their questions.⁷³ But the President expressed his inability to do so. Again, a member of the Brij-jaya Pratinidhi Samiti asked one main and thirteen supplementary questions but every time the Minister in charge of the Department beat about the bush and avoided to give correct answers. This led the President of the Samiti to request the Minister to make correct answers to the questions.⁷⁴

Of the aforesaid six State legislatures, only the Brij-jaya Pratinidhi Samiti had the powers to move adjournments. But the right was not properly exercised by the members of the Samiti. In 1944, a member of the Samiti gave notice to move an adjournment. The motion sought to discuss the atrocities committed by the police in a village of the State. The President granted leave but the mover withdrew the adjournment motion even without discussion. Maybe, he was intimidated by the presence of the Maharaja behind a curtain in the Ladies' Gallery.⁷⁵

73. *The Jodhpur Government Representative Advisory Assembly, VIII Session, Proceedings Report*, March 1944, pp. 5-11.

74. *Proceedings of Brij-jaya Pratinidhi Samiti, Government of Bharatpur Report*, Volume, 1946.

75. "Lokvani", Special J.L. Bajaj issue, 1945.

Finance

The Legislative bodies of other states, except the Brij-jaya Samiti, had no powers in the financial matters. The Brij-jaya Samiti had the powers to discuss the budget and make suggestions. The members made a good number of suggestions on the budget for the years 1944-45 and 1945-46. But the Government of the State paid no heed to the suggestions made by the members. This created in the members a sort of apathy towards the work of the Samiti and when, in October 1946, the budget for the year 1946-47 was presented, the members made no suggestions.

Legislation

The State Legislatures of Bundi, Bharatpur, Banswara, Dungarpur, Jodhpur and Tonk did very little work in the field of legislation. Of the six legislatures, only the Rajya Parishad of Banswara and the Majlis-I-Amman of Tonk had the powers to enact legislations but their achievements, as pointed out in Chapters II, III and IV, were very meagre. Even the enacted legislation did not reflect the sentiments of the people as the members of the legislative bodies were mere puppets in the hands of the government. The legislatures of Bundi, Bharatpur and Jodhpur had no powers to legislate on any subject, whatsoever. But the Governments of Bharatpur and Jodhpur used to send proposed legislations before their legislatures. The State authorities in Bharatpur sent 21 bills for the opinion of the legislature. But in Jodhpur, only one bill was sent for the opinion of the Assembly. The government gave very scanty respect to the suggestions made by the members of the legislatures. The Bundi Dhara Sabha did not even enjoy the privilege of expressing its opinion on legislative matters. The Dungarpur Shasan Sabha was a sort of legislative and Judicial Committee and in no way resembled a legislature.

General Observations

Thus it will be clear that the achievements of the legislatures in the field of legislation, finance and administration were meagre.

Various reasons were responsible for it. Firstly, the nature of the states in Rajasthan was monarchic. In a monarchic state, sovereignty remains vested in the ruler and the legislature is his creation. The legislature enjoys only as much power as is delegated to it by the ruler. In Rajasthan, as has been pointed out earlier, the rulers gave very little authority to the legislative bodies and kept all powers concentrated in their hands. Secondly, the powers of the legislatures were limited. In the States of Bundi, Jodhpur and Bharatpur, legislative bodies had only limited administrative powers; in the States of Banswara, Tonk and Dungarpur they had only limited legislative powers and in the States of Jaipur and Bikaner they had limited legislative, financial and administrative powers. The legislative bodies were denuded of their powers by the exclusion of important subjects from their purview. In fact, the legislative bodies of the States of Banswara, Dungarpur, Jodhpur and Tonk were not legislative chambers in the modern sense of the term. They were like 'the college debating societies'⁷⁶ as Shri M.L. Varma very aptly called them. Thirdly, the defective and undemocratic composition of the legislatures was a great handicap in the performance of their functions. Fourthly, the people had no experience in the working of western institutions and they, as such, were not in a position to take the maximum advantage which they could have been possibly done in the prevailing circumstances, had they been experienced. Fifthly, the executive was not responsible to the legislature in any State. In the absence of this, the legislatures had no means to secure implementation of their decisions or control the administration through interpellation. Besides, the unsympathetic attitude of the government officials, the lack of interest and courage on the part of the members and the presence of an official president were the factors responsible for scanty achievements of the legislature in Rajasthan.

Keeping all these limitations in view, we can say with some justification that their achievements, albeit meagre, were praiseworthy; especially those of the Jaipur Legislative Council where

76. Shri Manikya Lal Varma, in a talk to the Author at Udaipur on 4th December, 1962.

the discussions on the budget and the bills were relevant, lively and thought-provoking. The success of the legislative bodies cannot and should not be measured by the number of resolutions passed, legislations enacted and adjournments moved, but by the manner in which these bodies served the purpose of ventilating the grievances of the masses before the State authorities and providing the training pre-requisite for the leaders in the art of the working of democratic institutions. And the various legislatures of Rajasthan undoubtedly achieved considerable success in doing this.

Having studied the growth, powers and functions and achievements of State legislatures in Rajasthan, we now proceed to study, in the next three Chapters, the growth, powers and functions, etc., of the Local Self-governing institutions in the various States of Rajasthan.

PART THREE

LOCAL SELF-GOVERNMENT

“The best school of democracy and the best guarantee of its success is the practice of local self-government.”

—*Lord Bryce*

“Villages are like women. In their keeping is the cradle of the race. It is the function of the village like that of woman to provide people with their elemental needs, with food and joy, with the simple poetry of life, and with those ceremonies of beauty which the village spontaneously produces and in which she finds delight. But when constant strain is put upon her through the extortionate claims of ambition, when her resources are exploited through the excessive stimulus of temptation, then she becomes poor in life and her mind becomes dull and uncreative. From the time honoured position of the wedded partner of the city, she is degraded to that of a maid-servant, while the city in its intense egoism and pride remains unconscious of the devastation constantly worked upon the very source of its life, health and joy.”

—*Rabindra Nath Tagore*

CHAPTER SEVEN

Urban Local Self-Government in the Western and Southern Divisions of Rajasthan

Introduction

The mid-nineteenth century Rajasthan was completely devoid of municipal administration. In most of the States, sanitary conditions were most deplorable. C.K.M. Walter, the Political Agent, who visited Bharatpur State in 1855, described the sanitary condition of the city of Bharatpur thus : "There was no road and hardly any masonry building, except the palaces in the fort, the city was unhealthy from filth and bad drainage."¹ R. Harway in 1869 observed : "The sanitary condition of the State was most deplorable and Bharatpur was one of the places of India where hygienic measures had never been carried out. There was the usual crowding together of houses regardless of ventilation and the collection of decayed rubbish all around in the town."² The condition of Kota city was hardly better. Before 1863, there was no establishment there to look after the sanitation of the city, with the result that it remained filthy.³ Almost similar conditions existed in other States, viz., Banswara, Shahpura, Bikaner and Dholpur.⁴

Deteriorating sanitary conditions forced the State authorities to assume the responsibility of public health and sanitation. The city Kotwal or some other official was put in charge of the sanita-

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1. Cited by K.B.L. Gupta : *Evolution of Administration in the former Bharatpur State, 1722-1947*, (unpublished Doctoral Thesis), p. 283.
 2. Ibid.
 3. Dr. M.L. Sharma : *History of Kota State, Volume II*, (V.S. 19196), p. 667.
 4. *File No. 226*, Darbar Intjam Municipality, Banswara; *File No. 191*, Shahar Safai, Dholpur State.

tion. But the condition did not improve and the rulers had to think of taking bolder steps. In 1869, Maharaja Ram Singh established a Municipal Committee for the city of Jaipur. His example was soon followed by the Darbars of other States of Rajasthan and municipalities were established in the capital towns of Alwar (1880), Karauli (1884), Jodhpur (1886), Bikaner (1889), Kota (1884), Pratagarh (1893), Jhalawar (1894), Kishangarh (1895), Bharatpur (1895), Dungarpur (1897), Tonk (1898), Shahpura (1898), Dholpur (1904), Kushalgarh (1910), Sirohi (1921), Udaipur (1922), Bundi (1923), etc.

The first princely State to put municipal legislation on statute book was Alwar, which passed the Alwar State Municipalities Act in 1903. Soon other states followed suit and municipal legislations were enacted in the States of Banswara, Partagarh, Dungarpur, Bikaner, Bharatpur, Jaipur, Jodhpur, Karauli, etc. In the beginning of 1948, municipal legislation existed in the States of Alwar, Bharatpur, Banswara, Bundi, Bikaner, Dungarpur, Jaisalmer, Jodhpur, Jaipur, Jhalawar, Karauli, Partagarh, Shahpura, Tonk, Kishangarh, Udaipur, Dholpur and in the 'Sambhar Shamlat' area. There were municipalities in the States of Kota, Sirohi and Kushalgarh, but there were no municipal legislations and municipal affairs were governed by the rules framed by the 'Darbars' of those States from time to time. A short retrospect of the growth, powers and functions and the salient feature of the municipal government in the States of Rajasthan is given below.

WESTERN DIVISION—BIKANER STATE

Historical Growth : In 1889, the first Municipal Board in Bikaner City came into being.⁵ It was more or less a state department and consisted mainly of officials and a few nominated members. Gradually municipalities were established in other towns of Bikaner State and their number in the State

5. *File No. 62, Press Note Bikaner* : Speech delivered by K.M. Pannikar at the conference of the representatives of the State municipalities and district boards held in May 1947.

increased to eleven in 1904-05.⁶ The main function of these committees was to look after sanitation.⁷

In 1907, Maharaja Ganga Singh appointed a Municipal Re-organisation Committee.⁸ On the recommendations of the committee a paid Secretary and two sanitary inspectors were sanctioned for Bikaner Municipality in the same year, i.e., 1907.⁹

Owing to frequent absence of some of its members, the Bikaner Municipal Committee could not pay attention to municipal affairs. In order to remedy this drawback, the State authorities soon decided to increase the number of members on the committee so that there could be sufficient number of members at any time to carry on the work.¹⁰ Accordingly, in 1914, it consisted of 14 members, 10 non-official and 4 official.¹¹ In 1917, reforms in the direction of giving greater powers to the municipalities were sanctioned. The municipality was placed on an independent footing.¹² The number of non-official members in each municipality was raised systematically according to the size of the towns as to give each community a reasonable representation in the municipal board. During the year 1920-21, two district municipalities were established which brought the total number of municipalities to 13.

In 1923, with a view to improving the municipal administration throughout the State and to give people an increased share in the local-self government, a municipal Act, known as the Bikaner Municipal Act, was passed.¹³ According to the provisions of the Act, every municipal board was to consist of members appointed by the Government or members elected by the inhabitants in accordance with the rules under the Act. The term of the

6. *Administrative Report, Bikaner State, 1904-05*, p. 22.

7. *Ibid.*, p. 22.

8. *Administrative Report, Bikaner State, 1907-08*, p. 5.

9. *Administrative Report, Bikaner State, 1908-09*, p. 10.

10. *Administrative Report, Bikaner State, 1913-14*, p. 25.

11. *Ibid.*

12. *Administrative Report, Bikaner State, 1916-17*, p. 30.

13. *Administrative Report, Bikaner State, 1924-25*, p. 47;
Four Decades of Progress in Bikaner, p. 78.

members was to be fixed by the Government but, in any case, it was not to exceed 3 years. The President of the Board was to be either elected or nominated. The Vice-President was to be elected by the members of the Board from amongst themselves. The municipalities were given vast obligatory and discretionary functions to perform. The boards were given powers to make by-laws and regulations, to impose taxes. In spite of so many apparent drawbacks, the Act was a great landmark in the history of Local Self-Government in Bikaner State.

Under the provisions of this Act, rules were framed to govern the elections. This system was first put into practice in Bikaner Municipality and district municipalities of Churu, Sujangarh, Ratangarh and Sardar Sahar.¹⁴ Elections were held in 1924.¹⁵ In 1929, the official vice-presidents of the various boards were replaced by the non-official vice-presidents. In 1930, election system was introduced in the municipalities of Dungargarh, Rajgarh, Rani, Nohar and Bhadra. In 1937, the district municipalities were granted the privilege of having elected presidents.¹⁶

By 1943, political situation had changed considerably in the State. Political consciousness had grown manifold in the people of the State with the result that they started demanding reforms in the municipal administration. The old Municipal Act had also become obsolete by that time. So in 1944, the Maharaja of Bikaner appointed a Committee of 7 members headed by Shri Jaswant Singh to report on the re-organisation of municipal administration in the capital.¹⁷ Although the Committee was mainly required to submit its recommendations in regard to the Bikaner City Municipality, yet it considered a scheme of reforms for district municipalities too, and submitted its report on January 25, 1945.¹⁸ The committee recommended : (i) that the municipalities in the State should be divided into three cate-

14. *Administrative Report, Bikaner State, 1925-26*, pp. 37-38.

15. *Ibid.*, p. 37.

16. *Bikaner Golden Jubilee (1887-1937)*, p. 83.

17. *File No. 49—Reorganisation of Municipal Administration in Capital (Bikaner State)* : Report of the Committee, p. 41.

18. *Ibid.*, p. 3.

gories ; (ii) that the property and educational qualifications for voters be brought down to a lower standard ; (iii) that the number of members of the Bikaner City Municipality be raised to 45; and (iv) that the Board be empowered to impose an entertainment tax and a rate on holdings.¹⁹ The Government, however, did nothing to implement the scheme proposed by the Committee for the reasons not yet known.²⁰ It was only in the beginning of 1947 that the Bikaner Municipal Board was given power to elect its President.²¹

In May 1947, a conference of the representatives of the municipalities and district boards was held in Bikaner. Two resolutions urging the government : (i) to appoint a committee to revise the Bikaner State Municipal Act; and (ii) to place Bikaner Municipality in the category of a corporation, were proposed and discussed. The President of the Conference, Shri K.M. Pannikar, promised to appoint a committee for the revision of the Act.²² Accordingly, in July 1947, a committee was appointed consisting of some officials and some members of the Legislative Assembly and the Bikaner Municipal Board. The Committee was headed by Shri Surajmal Singh.²³ The committee soon submitted its report but the government postponed the introduction of municipal legislation till a new legislature was established, under the provisions of the Bikaner Act of 1947.²⁴ The legislature, however, never came into being and the idea of municipal reforms remained suspended in the air. At the time of the State's integration into the Union of Rajasthan, there were, in all, 29 municipalities in Bikaner State.²⁵

19. Ibid., p. 4.

20. Ibid.

21. Ibid.

22. File No. 20—*Conference of the Representatives of the Municipalities & District Boards at Bikaner* : Report relating to the L.S.G. Conference held on 28th and 29th May, 1947.

23. File No. 5—*Appointment of a Committee for the Revision of the Act* : Letter of the Minister for L.S.G. and Health, No.4733, dated 28-7-1947.

24. "Bikaner Bulletin", September 1948, p. 9.

25. File No. 62—*Proceedings of the various Municipalities, District Boards, Bikaner State*, pp. 7-31.

Powers and Functions

The Bikaner City Municipality was given large obligatory and discretionary powers, such as the lighting of the streets and public places ; watering the streets; construction, repairs and maintenance of roads; cleaning of streets and places; planting of trees; opening of dispensaries, schools and libraries.²⁶ The Board had powers to frame by-laws and regulations to impose taxes with the previous sanction of the Government.²⁷ The district municipalities were also given responsibility for such services as the improvement of sanitation, lighting of public streets, construction of wells for drinking water, maintenance of chowkidars for watch and ward, repairs of roads and thoroughfares.²⁸

Achievements

Municipal boards in the Bikaner State mostly did their routine work. They looked after the sanitation and lighting arrangements in their respective jurisdictions. A few boards, including the Bikaner City Municipality, took steps to pave the streets, to construct and repair roads, latrines, urinals and drains, and to plant trees on various roads. The boards also collected important statistics of birth and death and issued licences for hackney carriages, bullock-carts, etc. The Bikaner Municipal Board was given responsibility in the field of primary education which it discharged with credit. In 1944, the Board maintained 14 primary schools on which it incurred an annual expenditure of Rs. 18,048. The district municipalities also took interest in the development of education and several boards made the provision of grants-in-aid in their budgets. The Municipal Board of Bikaner passed bye-laws for controlling nuisance and constructing buildings, etc. It also maintained one maternity and child-welfare centre in the city of Bikaner.

26. *Bikaner Municipal Act*, 1923, Chapter on Powers and Functions.

27. *Ibid.*

28. *Administrative Report, Bikaner State*, 1942-43, p. 124.

Salient Features

A perusal of the establishment and growth of municipal boards in the State of Bikaner reveals a few distinct features. Firstly, Bikaner State had two types of municipal institutions—Bikaner City Municipality and district municipalities. Though all municipalities were governed by the Municipal Act of 1923, yet wide disparity existed in their composition, powers and functions. The district municipalities performed fewer municipal functions and had little educational responsibility in comparison with the Bikaner City Municipality. Secondly, the municipalities in the State of Bikaner had adequate financial resources to meet their needs. The district municipalities were self-supporting and the Bikaner City Municipality frequently had surplus budget.²⁹ Thirdly, the constitution of municipalities remained undemocratic throughout the State. In every municipal board there was a good number of nominated members. Moreover, elected members were not elected on the basis of adult franchise. The municipalities, as such, could not be regarded as representing public opinion. Fourthly, the municipalities in the State were given some electoral functions to perform. From 1913 to 1948, they were entrusted with the work of electing members to the Bikaner Legislative Assembly. Fifthly, the primary education in the capital was in charge of Bikaner City Municipality. Lastly, in case of district municipalities, franchise was expressly kept low in comparison with the Municipality of the City of Bikaner.

Jodhpur State

The foundation of urban municipal administration in the State of Jodhpur was laid in the year 1884.³⁰ A Municipal Board consisting of a few nominated members was appointed by the Maharaja to look after the sanitary condition of the town and to regulate the construction of buildings.³¹ The municipalities of

29. *Administrative Report, Bikaner State, 1939-40, 1940-41, 1941-42*, pp. 118-119.

30. *Administrative Report, Jodhpur State, 1943-44*, p. 97;
Report of the Municipal Enquiry Committee, Jodhpur, 1938, p. 2.

31. *Administrative Report, Jodhpur State, 1945-46*, p. 107.

Pali, Balotra and Phalodi were established in 1908, 1913 and 1915, respectively.³²

In 1918, the Jodhpur Municipal Board was reconstituted.³³ The new board consisted of 7 members, 4 ex-officio and 3 nominated, and was presided over by an official Chairman. Its functions and powers were very limited and it was more of a government department than anything else.³⁴ The municipalities of Didwana and Nagaur were established in 1920 and 1927, respectively.³⁵ In 1928, the Jodhpur Municipal Board was reconstituted and given a representative character.³⁶ The Board was to be composed of one President, 5 ex-officio members and 12 ordinary members to be nominated to represent various committees. The members were to hold office for 3 years. Four sub-committees, viz., the Finance, the Buildings, the Encroachment and the Sanitation Committees, were also established by the orders of the Mahkmakhas to deal with different kinds of work.³⁷ In each of these committees, there were 3 official and 2 nominated non-official members.³⁸

Municipalities at Jhalor, Barmer, Bhinmal and Ladnun were established during the year 1932-33.³⁹ These municipalities, except the Barmer municipality, had a majority of non-official members.⁴⁰ These municipalities were self-supporting. The main source of their income was the terminal tax on goods received by rail or roads.⁴¹ In 1934, a fifth sub-committee, i.e., Improvement Sub-committee, of eight members was formed under the Municipal Board of Jodhpur.⁴²

32. *Administrative Report, Jodhpur State, 1908-09*, pp. 20;

Administrative Report, Jodhpur State, 1930-31, p. 23;

Administrative Report, Jodhpur State, 1932-33, p. 35.

33. *Report of the Municipal Enquiry Committee, Jodhpur* (1938), p. 3.

34. *Ibid.*

35. *Administrative Report, Jodhpur State, 1930-31*, p. 24.

36. *Report of the Municipal Enquiry Committee, Jodhpur* (1938), p. 3.

37. *Ibid.*

38. *Administrative Report, Jodhpur State, 1927-28*, p. 30;

Report of the Municipal Enquiry Committee, Jodhpur, (1938), p. 3.

39. *Administrative Report, Jodhpur State, 1931-32*, Chapter on Municipalities.

40. *Administrative Report, Jodhpur State, 1932-33*, p. 35.

41. *Administrative Report, Jodhpur State, 1933-34*, p. 35.

42. *Administrative Report, Jodhpur State, 1934-35*, p. 37.

In the meantime people's demand for the establishment of elected municipality in the State was gaining ground. In 1931, a resolution was adopted in the first conference of the Marwar Praja Parishad held at Pushkar. The resolution requested the Maharaja of Jodhpur to grant elected municipalities in the State. Jodhpur Lok Parishad also adopted several resolutions urging the Maharaja to establish elected municipalities in the State.

In 1936, a Judicial Member of the State Council (who was in-charge of the State Local bodies) put forward a scheme of reforms to be introduced in the Jodhpur Municipal Board. His main proposals were : (i) the introduction of the principle of election in a restricted sense ; (ii) the enlargement of the existing Board; and (iii) the enhancement of the Board's powers in the field of finance. The proposals were accepted by the Maharaja who accorded his sanction to the new rules for Jodhpur Municipalities on February 24, 1937.⁴³ Accordingly, the Municipal Board of Jodhpur was enlarged and the elective principle, i.e., the system of election panels for each community was introduced. Electoral rolls and rules for elections were framed and panels were prepared. The composition of the Board was fixed like this ; Official—6; nominated by Government—4; representatives of the different communities—27.⁴⁴

This new constitution which marked an improvement over the previous constitution had two distinctive features. Firstly, it introduced election system for the first time and gave non-officials a majority not only in the Board itself but also in the sub-committees. Secondly, an important provision was added that whenever a municipal board managed to raise a reasonable or substantial proportion of the total expenditure, the board would be entitled to form an executive committee of eleven elected members who would have authority to control the finances. In the middle of 1938, a third feature was introduced when, on

43. *Report of Municipal Enquiry Committee, Jodhpur* (1938), p. 5.

44. *Administrative Report, Jodhpur State, 1937-38*, p. 45 ;
File No. C/2 Volume I—Municipality, Jodhpur, p. 208.

the resignation of the official nominated Chairman, the Government agreed to give the Board a non-official, nominated Chairman.⁴⁵ All this was believed to be a fair and liberal start towards democratization of the Jodhpur Municipal Board. The above reforms did not satisfy the people. Though the reforms liberalised the constitution of the Board and enhanced its powers yet they suffered from lack of proper conception of its functions, scope and powers as well as from the defects of a communal bias and official preponderance. The reforms did not come anywhere near the ideal to which a municipality should conform. Therefore, the people began to make representation to the Government for better reforms. This led to the appointment, on December 17, 1938, of a committee of ten persons headed by Shri K.P.S. Menon.⁴⁶ The committee was required to report on the desirability of making any change in the constitution of the Jodhpur Municipal Board and to suggest ways and means to make the Board a self-supporting institution.⁴⁷

The committee examined the drawbacks in the constitution and formation of the Jodhpur Municipal Board and recommended: (i) that a Municipal Board of 30 members (22 non-officials, 4 nominated, and 4 government officials) be set up; (ii) that adult franchise, subject to certain conditions, be granted; (iii) that the existing method of elections be substituted by one based on joint electorates; and (iv) that provision for an elected Chairman (to be elected by the Board from amongst its members) be made.⁴⁸

The recommendations of the committee were accepted by the Government and given effect to in June, 1941.⁴⁹ In Jodhpur City wardwise elections were held and Shri Jai Narayan Vyas was unanimously elected Chairman of the Jodhpur Municipal Board.⁵⁰ In order to improve the work of the Board and expedite

45. *Report of Municipal Enquiry Committee, Jodhpur* (1938), p. 7.

46. *Report of the Municipal Enquiry Committee, Jodhpur* (1938), p. 1.

47. *Ibid.*

48. *Ibid.*, pp. 8-11.

49. *Administrative Report, Jodhpur State, 1940-41*, p. 53.

50. *Ibid.*, p. 54.

the disposal of cases,⁵¹ the new Board formed a few committees like the Finance Sub-committee, Building and Improvement Sub-committee and Propaganda Sub-committee. Soon Shri Vyas resigned from the Presidentship of the Board owing to increasing interference of the Government in the day-to-day work of the Board.⁵² Subsequently Shri Vyas, with his 13 other colleagues, resigned also from the membership of the Board.⁵³ Therefore, by-elections were held for these 14 seats in September 1941.

In 1943, the Maharaja of Jodhpur, in order to make better provisions for the organisation of the Jodhpur Municipal Board, passed an Act, known as the Jodhpur Municipal Act.⁵⁴ The Act provided for a Municipal Board composed of 31 members.⁵⁵ Of the 31 members, 22 were to be elected on the basis of restricted joint franchise and the remaining nine to be nominated by the Government. Of the nine nominated members, 4 were to be official and the rest non-official. The Chairman and the Vice-Chairman were to be elected by the members from amongst themselves.⁵⁶ The Board was given powers to impose taxes, frame bye-laws, etc.⁵⁷ Although the Act suffered from a few apparent shortcomings yet it was a landmark in the history of Local Self-Government in the State of Jodhpur for the fact that it was for the first time in the history of the State that Act defining the powers and responsibilities of the municipal authorities was placed on the statute book. Elections under the provisions of the new Act were held on December 7, 1944. Shri Indra Nath Modi was elected Chairman of the Board.

The system of elections on the basis of communities acting as electorates was replaced by ward-wise elections in the towns of

51. Ibid., p. 55.

52. *Administrative Report, Jodhpur State, 1941-42, Municipality.*

53. *Administrative Report, Jodhpur State, 1941-42, Municipalities.*

54. *Administrative Report, Jodhpur State, 1942-43, p. 87.*

55. *The Jodhpur Municipal Act, 1943, Article 8, p. 2.*

56. Ibid., Article 53, p. 12.

57. Ibid., Articles 91 to 95, pp. 18-20.

Pali, Bali, Phalodi, Nagaur, and Ladmun during the period from 1942 to 1946.⁵⁸ The popular Ministry, headed by Shri Jai Narayan Vyas, introduced the system of universal adult franchise in the elections to municipalities in the State.⁵⁹

Powers and Functions

The Jodhpur City Municipality had a large number of obligatory and discretionary functions to perform, such as lighting the streets and public places; watering the streets and public places, cleaning the streets and other places; regulating offensive, dangerous and obnoxious trades; construction and maintenance of public streets, markets, slaughter-houses, latrines, urinals, drains, etc.⁶⁰ It was given powers to make by-laws, to impose taxes (with the previous sanction of Government), and to impose a penalty up to Rs. 50/-.⁶¹ But the district municipalities had very limited municipal functions. Their powers to impose taxes⁶² were also limited.

Achievements

The district municipalities looked after the sanitation and lighting arrangements in their jurisdiction as far as their financial resources permitted. In between 1940 and 1946, the Jodhpur City Municipal Board met 108 times to transact municipal business. It passed the annual municipal budget, appointed sub-committees, passed by-laws relating to various subjects and considered the recommendations made by the sub-committees. The sub-committees were appointed by the Board every year to deal with various municipal matters. The important sub-committees were : The Building Committee; the Patta Committee; the Finance Committee; the Hackney Committee; the Sanitation

58. *Administrative Reports, Jodhpur State*, 1940-41; 1941-42; 1942-43; and 1944-45.

59. *File No. C/6 Volume I—Local Bodies Office Mahkmalhas, Government of Jodhpur*, Letter No. 215/CSR, 11-12-1949, p. 24.

60. *The Jodhpur Municipal Act*, 1943, Sections 71 and 72, Chapter IV.

61. *Ibid.*, Sections 91, 95, 112.

62. *File No. C/6 Volume I—Local Bodies Office Mahkmalhas, Government of Jodhpur*, Letter No. 215 CSR, 11-12-1949.

- Committee; and the Town Improvement Committee. In 1940, Jodhpur Municipal Board appointed a Propaganda Committee to educate the citizens in municipal matters and to inculcate a sense of civic responsibility in them. The Jodhpur City Municipal Board managed city-sanitation, lighting and water-supply. City sanitation during the period under discussion was quite satisfactory except in the rainy season. In 1946, it lighted 1,484 electric and 118 kerosene lights every night. A few water taps were also provided in the city.⁶³

Salient Features

Municipal movement in the State of Jodhpur was marked by three distinct features. Firstly, the position and the powers which the municipalities enjoyed in the State were the result of continuous struggle launched by the people. People had started their demands for elected municipalities right since 1931. It was under the pressure of their demands that the constitution of the Jodhpur City Municipality was gradually liberalised. However, when the Popular Ministry came into being, effective steps were taken to improve the municipal administration. Secondly, the introduction of communal representation (either by election or by nomination) and then its gradual replacement by the system of ward-wise elections was a unique feature of the growth of municipal administration in the State. Jodhpur was the first State to try the method of communal representation. This method gave rise to some communal feeling as the people of some community or caste definitely felt that they were not given fair and proper representation. Protests and representations to this effect were made by the representatives of the Rana and the Barber castes.⁶⁴ The same element, in the State, however, opposed this system of ward-wise elections. Thirdly, the district municipalities were financially autonomous and independent. They had their own resources to meet their expenditure and the State provided

63. The above description of achievements is based on the Annual Administrative Reports, Jodhpur State, from 1918 to 1946.

64. *File No. C/2 Volume I,—Municipality—Jodhpur*, 1929-1936 ; Representation dated 29-10-1929, 13-12-1929, pp. 8 and 212.

them with no grant-in-aid. This helped them develop an attitude of self-reliance and grow independently.

Jaisalmer State

Municipal administration made its appearance in the State of Jaisalmer in 1939.⁶⁵ In that year, Maharaja Jawahar Singh established a Municipal Committee of 17 members, 8 official and 9 elected, in the Capital city of Jaisalmer.⁶⁶ The Dewan of the State was the ex-officio President of the Committee. The Committee was empowered to levy octroi duties at sanctioned rates.⁶⁷ The constitution of the Committee remained unchanged till 1948. The Committee looked after sanitary and lighting arrangements in the capital. Now and then it also undertook the work of constructing drains, latrines and urinals. The committee had no financial resources of its own and had to depend largely on government subsidy even for its elementary municipal expenses. In short, the municipal administration could not make any progress in the State of Jaisalmer and was in its elementary stage even in 1948.

Southern Division—Udaipur State

Urban Local Self-Government Institutions did not exist in Udaipur State before 1922.⁶⁸ Till then, the conservancy arrangements were made under the supervision of the Police.⁶⁹ In December 1922, a Municipal Board was established at Udaipur City.⁷⁰ All members of the Board were nominated by His Highness's Government. Municipalities at Bhilwara and Chittor were established in the years 1938⁷¹ and 1939,⁷² respectively. All these municipalities consisted wholly of nominated members.

65. *Administrative Report, Jaisalmer State, 1938-39*, p. 6.

66. *Ibid.*, p. 6.

67. *Administrative Report, Jaisalmer State, 1939-40*, p. 6.
Administrative Report, Jaisalmer State, 1940-41, p. 8.

68. *Administrative Report, Mewar State 1921-22*, p. 5;
 R.C. Vyas (Editor) : *Op. Cit.*, p. 9.

69. R.C. Vyas (Editor) : *Op. Cit.*, p. 9.

70. *Administrative Report, Udaipur (Mewar) State, 1922-23*, p. 4.

71. Dr. P.S. Mehta : *25 years of Nagar Palika of Bhilwara*, p. 3.

72. *File—Personal File of Shri Gyan Mal Chajjer of Chittor*; Appointment letter dated 6-9-1939.

In 1939, the Udaipur Municipal Board was reconstituted.⁷³ Accordingly, it consisted of 10 nominated and 10 elected members. In 1940, a few reforms were introduced in the Udaipur Municipal Board.⁷⁴ The number of elected members was raised to 12; and provision for the nomination of a woman and a Harijan member was also made. The minimum age-qualification for voters was lowered from 25 to 20. The property qualification was also lowered from Rs. 1,000 to Rs. 500. The rental qualification was also reduced from Rs. 60 to Rs. 30. Persons who had passed Mewar Middle School examination or its equivalent were given the power to vote. In 1942, the constitution of Bhilwara Municipality was changed.⁷⁵ It was now to consist of both nominated and elected members.⁷⁶

The reforms of 1940 contributed hardly anything to the progress of municipal administration in Udaipur. They tended towards the centralization of administrative powers which goes against the very concept of municipal administration. The Mewar Praja Mandal drew the attention of Sri T. Vijaya Raghavacharya to the fact and he, in 1941, promised to enact a municipal act for the city of Udaipur.⁷⁷ But he could fulfil his promise only in 1945. In that year, the Maharana of Udaipur enacted an Act called the 'Udaipur City Municipal Act, 1945', and it was brought into force on August 16, 1945.⁷⁸ Accordingly, the Municipal Board of Udaipur was raised to the status of a City Corporation. It was to consist of 33 members, 31 elected, and only 2 nominated by the Maharana to represent the interests not otherwise represented in the Corporation.⁷⁹ The President and the Vice-President were to be elected by the members from amongst themselves. The elections to the corporation were to be held on the basis of restricted franchise and joint electorate. The term of the Corporation was kept 3 years. It was to have a large number of obliga-

73. *Administrative Report, Udaipur State, 1940-42*, p. 95.

74. *Ibid.*

75. *Ibid.*, p. 96.

76. Dr. P.S. Mehta : *Op. Cit.*, p. 3.

77. "Lokvani", II Annual Number, 1946, p. 33.

78. *Udaipur Invites* (Published by the City Corporation, Udaipur), p. 6.

79. *Udaipur City Municipal Act, 1945*.

tory and discretionary functions such as lighting the streets and public places, watering the streets and other public places, constructing and maintaining public streets, markets, etc., planting and maintaining trees on roadsides and other public places, control of infectious diseases, etc. It was given powers to pass by-laws, make rules, impose taxes, hold property, etc. The decision in the meeting of the Corporation was to be reached by the majority of votes given in favour of or against a proposal. In case of a tie, the President was authorised a casting vote.

The Act was a great landmark in the history⁸⁰ of municipal legislation, not only in the State of Mewar but in Rajasthan, too. It was first of its kind in Rajasthan. The Act put the municipal administration in the City of Udaipur on the right track. It was unique as it provided for a Corporation for the first time in the States of Rajasthan. Though adult franchise was not granted yet the property or educational qualifications were expressly kept low so as to enable the progressive element to get every chance to enter the Corporation and to play its part unhindered.

Elections to the Corporation, under the provisions of the Act of 1945, were held in October, 1945.⁸⁰ The Mewar Praja Mandal Party won the majority of seats and Shri Hira Lal Kothari was elected Chairman of the Corporation.⁸¹ When Shri Kothari resigned from the Chairmanship to join, in October, 1946, as a popular minister in the State Council of Mewar, Shri Mathuranath Pancholi became Chairman. In between 1945 and 1948, the Udaipur City Corporation did commendable work in municipal field. It constructed thirty latrines, fifty urinals, and 2,000 ft. of drainage and a good number of streets and lanes.⁸² A vegetable market was also constructed near the Panchayati Nohra to remove the congestion of people in the main market during the rush hours.

80. Shri Hira Lal Kothari, in a talk with the Author on 25-9-1963 at Udaipur.

81. Ibid.

82. Shri Hari Singh Bapna, in a talk with the Author on 11-11-1963 at Chittorgarh.

The Corporation prepared a City Improvement Plan for Bhupal-pura and allotted plots to the people.⁸³ The Sanitary Inspectors of the Corporation inspected several places so as to check and stop obnoxious practices. The Corporation framed by-laws for the control of slaughter houses, for the registration of births and deaths, for regulating the construction of buildings, etc.⁸⁴ The Corporation persuaded Shri Mehta, a wealthy gentleman of Bikaner, to construct a park with an auditorium for the public use.⁸⁵ This park cost one lac rupees at that time and is still a very pleasant resort for the public. In order to facilitate traffic and improve the sanitary condition of the city, the Corporation constructed a large number of metallic and cemented roads and 'rastas'. Before 1945, there was, in Udaipur, only one metallic road which linked the Maharana's city palace with Fateh Sagar. Formally the lack of pucca 'rastas' and proper drainages was responsible for the extremely bad sanitary condition of the city. So the Corporation directed all its resources to clean the city of the filth and rubbish that abounded in its streets. This contributed immensely to the improvement of the sanitary condition of the city and may well be regarded as one of the important achievements of the Udaipur City Corporation.⁸⁶ The Corporation, however, did nothing in the direction of providing water taps and educational facilities to the public.

At the time of the formation of the Union of Rajasthan in 1948, there existed a City Corporation in Udaipur City and Municipal Boards at Bhilwara, Chittor and Rajnagar and Notified Area Committees at Kapasan, Chhotisadri and Kankroli. The Udaipur City Corporation consisted of 33 members and had an elected President. The Bhilwara Municipal Board consisted of 13 members and the Chittor Municipal Board consisted of 10 members. Kapasan Notified Area committee consisted of seven

83. Ibid.

84. *File No. 12, Bye-Laws City Corporation, Udaipur, year 2002-2005 (V.S.).*

85. Shri Hira Lal Kothari, in a talk with the Author on 25-9-1963.

86. Ibid.

nominated members with the Collector as its President. Kan-kroli Notified Area Committee consisted of 5 members and one President, all nominated.⁸⁷

Salient Features

Municipal administration made its appearance late in the state of Mewar. However, in 1948, it was the only State in the whole of Rajasthan where a Municipal Corporation and a few Notified Area Committees existed. Municipal Boards and Notified Area Committees were either partly elected or partly nominated or wholly nominated ones. There existed no legislation to govern the constitution, powers, etc., of the Municipal Boards and Notified Area Committees. Financial resources of these bodies were very meagre and, as such, they had to depend largely on the State subsidies. In short, the municipal administration, with the exception of the Udaipur City Corporation, was still in its infant stage in the State of Mewar.

Shahpura State

A municipality was first established in the State of Shahpura in 1898, but, owing to the lack of co-operation and civic sense in the public, it went into liquidation very soon.⁸⁸ In 1919, a municipal committee consisting of all nominated members was established to work on the lines of municipal committees in British India. The Judicial Assistant of the State was appointed its President.⁸⁹ Before the establishment of this Committee, sanitation was looked after by the Police Department.⁹⁰

In the year 1939, Shahpura Municipal Act was passed.⁹¹ It provided for a Municipal Board composed of a President and 12

87. *File No. 10/15—Board, Law & Local Self-Government, Rajasthan, Udaipur, Year 2005 (V.S.) (1947).*

88. *Administrative Report, Shahpura State, 1939-40, p. 5.*

89. *Administrative Report, Shahpura Chief-Ship, 1919-20, p. 10.*

90. *Administrative Report, Shahpura Chief-Ship, 1906-07, p. 8; File No. 79—Shahar Safai Shahpura, p. 1.*

91. *File No. 21—Shahar Safai Quayada Shahpura, 1939-40; File No. 10/15—Board, Law & Local-Self Government Department, Rajasthan, Udaipur, Year 2005 V.S., Report of the Chief Executive, Shahpura Municipal Board, dated 16-5-1948.*

members (6 elected and 6 nominated) for the capital town of Shahpura. The Dewan of the State was the Ex-officio President of the Board. Subsequently, the number of members was raised to 18, 12 elected and 6 nominated (3 official and 3 non-official). The Board was given multifarious municipal duties, viz., lighting the streets, cleaning of streets, and public places, registration of births and deaths, construction of streets, drains, urinals, etc., construction of parks and gardens, planting of trees, etc. The Act gave the Board no powers to levy taxes, or to make by-laws and rules. But soon, by a special order, the Board was permitted to charge levy @ one anna per maund on cotton coming from ginning and pressing factories.⁹²

In 1948, the municipal administration was in its infancy in the State. The constitution of the Board was undemocratic as it contained a good number of nominated members and was presided over by the Dewan of the State. Moreover, its powers were very limited. It had no power to levy taxes, make by-laws and rules, etc. It also had no statutory powers.

Sirohi State

A Municipal Committee was first established in the capital town of Sirohi in November 1921.⁹³ It was composed of 13 nominated members, 6 official and 7 non-official, and was presided over by an official President. In 1923, the Abu Road Municipal Board was constituted. It consisted of 14 nominated members including the Collector as its official President. Of these 14 members, 4 were ex-officio members and 9 non-official representative members of various communities. On February 24, 1934, the Mohammedan residents of Madar sent a representation to the Maharaja and the Dewan for the establishment of a Municipality in Madar.⁹⁴ But the Mahajan community was against the estab-

92. *File No. 10/15—Board, Law & Local-Self Government Department, Rajasthan, Udaipur, Year 2005 (V.S.)*;

Report of the Chief Executive, Shahpura Municipal Board, 16-5-1948.

93. *File No. 45 of 1941-42, Nakal Parwana, Hazur Parwana, dated 23-11-1921*;

Administrative Report Sirohi State, the year ending October 1937, Municipalities.

94. *File No. 62—Madar Municipality, 1934*; Prarthana Patra, 24-2-1934.

lishment of a Municipality.⁹⁵ The Government rejected the demand for establishing Municipality at Madar under the pretext that "the village being Jagiri made a municipality impossible."⁹⁶

In 1938, the people of Abu Road demanded an elected municipality. They submitted a representation to the Chief Minister on June 9, 1938, in which they put forth their demand.⁹⁷ A representation, signed by 157 persons, was also submitted to the President of the Abu Municipality in this regard on July 25, 1938.⁹⁸ Consequently, the constitution of the Municipal Board of Abu was revised and liberalised in the year 1938.⁹⁹ Accordingly, it was to consist of 25 members, 18 elected and the rest nominated. The franchise was extended to all householders of 21 years of age who paid municipal tax of any sort.⁹⁹ The President was to be nominated by the Maharaja from the elected members.¹⁰⁰ In 1940, the Maharaja decided to re-organise the municipality of the capital city on the pattern of the Abu Road Municipality. So he asked the Chairman of the Sirohi Board to submit a scheme for its constitution, including suggestion regarding the wards and electorates. However, the people of Sirohi were repugnant to have such a municipality because they found this would lead to heavy taxation.¹⁰¹

In 1941, a Draft Sirohi Municipal Act was prepared to consolidate and frame laws regarding municipal reorganisation.¹⁰² The Draft Act was published for inviting suggestions from the public.¹⁰³ The Secretary of the Sirohi Raj Praja Mandal submitted a few suggestions for the improvement of the Draft Municipal Act on November 30, 1941.¹⁰⁴ The suggestions were carefully studied

95. Ibid., The Tehsildar of Madar's letter addressed to the Chief Minister, dated 31-3-1934.

96. Ibid., The Chief Minister of Sirohi's letter No. 32, dated 23-4-1934.

97. *File No. 19—Abu Road Municipality 1938* : Prarthana Patra, November 8, 1938, p. 22.

98. Ibid., Prarthana Patra, 24-7-1938.

99. *Municipal Election Rules for Abu Road, 1938*, Clause 3.

100. *Administrative Report, Sirohi State, 1940-41*, p. 78.

101. Ibid., p. 76.

102. *File No. 29—Sirohi Municipal Draft Act, 1941* ; p. 1.

103. *Administrative Report, Sirohi State, 1941-42*, Municipalities.

104. *File No. 29—Sirohi Municipal Draft Act, 1941*, The Secretary, Sirohi Raj Praja Mandal, letter No. Nil, November 30, 1941, p. 51.

but they were not translated into action by the Chief Minister.¹⁰⁵ The Draft Act was subsequently shelved on the ground that the public opinion was not in favour of any such legislation.¹⁰⁶ No steps were then taken to improve the municipal administration in the State.

In the meantime, the demand for the establishment of elected municipalities was gaining ground in the State. In the Fourth Annual Conference of the Sirohi Raj Praja Mandal, Shri Dharm Chand Surana, in his Presidential address, requested the Maharaja to grant elected municipalities in the State.¹⁰⁷ A resolution was also adopted to this effect in the Conference. This led the Government to change the constitution of the Municipal Board of Sirohi in July, 1947.¹⁰⁸ Accordingly, the Sirohi Municipal Board was to consist of 27 members—21 elected, 5 nominated, and one President. The members were to be elected on the basis of adult franchise. The President was to be elected by the members of the Board from amongst themselves. Elections were held on June 4, 1948, and an elected municipality came into being in Sirohi.¹⁰⁹ Thus in 1948, there existed two municipalities in the State—one in Sirohi and the other in Abu Road. The municipalities looked after lighting arrangements, sanitation and conservancy, and collected statistics of death and birth in the area under its jurisdiction. The Municipal Board of Sirohi also managed water-supply in the town in Sirohi.

Dungarpur State

Municipal administration in Dungarpur State was a gift of Maharawal Udai Singh. He established a Municipal Committee for the town of Dungarpur as early as 1897.¹¹⁰ It consisted of a

105. Ibid., The Chief Minister of Sirohi's letter to the Secretary, Sirohi Raj Praja Mandal, No. 240, dated 6-12-1941.

106. *Administrative Report, Sirohi State*, 1941-42, p. 105.

107. *The Fourth Sirohi Raj Praja Mandal Conference, Address of Shri Dharam Chand Surana*, December 1946, p. 3.

108. *File No. 36—Sirohi Municipal Election Rules*, 1947, p. 5; "*Sirohi State Gazette*" Extraordinary, 1-7-1947.

109. Shri Gokul Bhai, in a talk with the Author on 5-7-1962.

110. G.H. Ojha : *History of Rajputana*, Volume III, Pt. I, p. 179.

few sahookars and other men of local influence and was presided over by the Dewan of the State. In the year 1905, a Municipal Committee was set up at Sagwara and in 1908 another municipal committee was established at Galiakot to look after the sanitation and lighting arrangements in the towns.¹¹¹ In 1913, the Dungarpur Municipal Act was passed.¹¹² The Act provided for a Municipal Board for the City of Dungarpur and Municipal Committees for Galiakot and Sagwara which were to consist of all nominated members. The Central Board at Dungarpur was given the supervising powers over the municipalities of Galiakot and Sagwara.¹¹³ In 1921, an improvement change was made in the constitution of the Dungarpur Municipal Board. Besides a President, it was to consist of 18 members—3 official and 15 elected. The Board was given the privilege to have a non-official President.¹¹⁴ In 1926-27, elected element was also introduced in the sub-committees of Sagwara and Galiakot.¹¹⁵ Accordingly, the Sagwara sub-committee was to consist of 6 members—3 elected and 3 nominated, with the Munsif of Sagwara as its President; and the Galiakot sub-committee of 4 members—2 elected and 2 nominated, with the Thanedar as its President.

In order to make better provision for the organisation of municipal affairs in the State the municipal administration was overhauled under Ferman No. 295, dated 25-8-1934.¹¹⁶ The Central Board at Dungarpur was dissolved and 3 committees at Dungarpur, Sagwara, and Galiakot and a District Board at Dungarpur were instituted. The Dungarpur Board consisted of 15 members—6 nominated and 9 elected with the State Engineer as its President; the Sagwara Committee had 8 members—4 elected and 4 nominated, with the Munsif of Sagwara as its President; the Galiakot Committee consisted of 8 members—3 nominated and 5 elected, with the Police Sub-Inspector as its President.

111. *Administrative Report, Dungarpur State, 1904-05*, p. 11.

112. *Administrative Report, Dungarpur State, 1914-15*, p. 19.

113. *The Dungarpur Municipal Act, 1913*, pp. 1-5.

114. *Administrative Report, Dungarpur State, 1920-21*, p. 40.

115. *Administrative Report, Dungarpur State, 1926-27*, Municipalities.

116. *Administrative Report, Dungarpur State, 1934-35*, p. 38.

In 1945, municipal boards were established at Aspur and Sabla.¹¹⁷ The Aspur Board had 6 nominated members (3 official and 3 non-official) with the Zilodar of Aspur as its President. The Sabla Board consisted of 6 members, 3 official and 3 non-official, all nominated, with the Manager of the State Bank of Sabla as its President.

In the meantime political consciousness started developing in the State as a result of the activities of the Praja Mandal and Sewa Sangh. The people started demanding elected municipalities in the State. Under the pressure of the people's demand the constitution of the Dungarpur Board was amended by Ferman No. 336, dated 25-2-1947. The scope of the activities of the Board was enlarged.¹¹⁸ Franchise was brought lower. Electoral rolls were prepared and the city was redivided into wards. Unfortunately owing to some incidents, elections to the Municipality were postponed.¹¹⁹ Soon, the state authorities decided to merge the State into the Union of Rajasthan. At the time of merger, there were 5 municipalities in the State, viz., Dungarpur, Sagwara, Galiakot, Aspur and Sabla.¹²⁰

Achievements

The Town Committees of Aspur, Sabla, Sagwara and Galiakot looked after the sanitation and lighting arrangements in the area under their jurisdiction. The Dungarpur Municipal Board undertook the sanitation and lighting arrangements and managed a library and a park in the capital. The Dungarpur District Board distributed quinine to the people of the district, through patwaries, foresters and school teachers.¹²¹ In short, the muni-

117. *Administrative Report, Dungarpur State, 1944-45, Municipalities.*

118. *File No. 3/4—Municipal Election in Dungarpur, Law & Local Self-Department, Government of Union of Rajasthan, Udaipur, pp. 3-4.*

119. *Ibid.*, p. 5.

120. *File No. 10/15—Law & Local Self Department, Rajasthan, Udaipur. Year 2005, V.S ; Report of the Chief Executive Officer, Dungarpur, 13-5-1948.*

121. The above description of the achievements of the municipalities in the State of Dungarpur is based on the Annual Administrative Reports for the years 1904 to 1945.

icipal activities performed in the State by the municipal agency were very few.

Salient Features

Municipal government in the State of Dungarpur had three distinct features. Firstly, the system of separate electorate was the basis of municipal election. This system was introduced by Ferman No. 336, of 25th February, 1947. Secondly, there existed a supervising institution in the form of District Board to supervise the work of the Municipal sub-committees of Sabla, Galiakot, Aspur and Sagwara. Thirdly, there was no uniformity in the constitution and organisation of the municipalities in the State. The Dungarpur Municipal Board was governed by the provisions of the Dungarpur Municipal Act, 1913, but there existed no legislation for the sub-committees of Sabla, Aspur, etc. They were merely sanitary committees and worked under the District Board of the State.

Kushalgarh State

In the Chiefship of Kushalgarh, a Municipal Board was established in the year 1910. In the year 1913-14, it consisted of both official and non-official members and was in its infancy.¹²² For long, it remained in charge of the Sub-Assistant Surgeon of the State.¹²³ In 1942, a Municipal Act was drafted and circulated for public opinion.¹²⁴ However, the bill was not given the shape of an Act for the reasons not yet known. The Municipal affairs continued to be managed in the same old fashion till 1948.

At the time of merger in the Union of Rajasthan the capital town was the only place in the Chiefship of Kushalgarh where a

122. *Administrative Report, Kushalgarh Chiefship, Rajputana, 1913-14*, p. 8.

123. *Administrative Report, Kushalgarh Chiefship, Rajputana, 1932-33*, p. 4.

124. *Administrative Report, Kushalgarh Chiefship, Rajputana, 1942-43*, p. 6.

municipality existed.¹²⁵ The Board looked after the sanitary and lighting arrangements in the town. It had no resources of its own and was merely a state department.

Banswara State

The deplorable sanitary conditions in the beginning of the 20th Century obliged Maharaja Shambhu Singh of Banswara to appoint a Committee under the Chairmanship of the Kotwal to report on the establishment of a municipal board for the town.¹²⁶ On the recommendations of the Committee the Maharaja appointed a Municipal Committee for the town of Banswara in 1904.¹²⁷ The Municipal Committee consisted of one President, one Secretary and three members. In 1905, the Maharaja appointed Rao Sahab S.R. Gupta, the Kamdar of the State, as President of the Committee in place of the Fojdar.¹²⁸

In order to put the municipal administration on a sound footing, the Banswara Municipal Act (Quaida Benovar Karna Intezam Municipality Banswara) was enacted in 1912.¹²⁹ The Act provided for municipal committee consisting of 12 members—5 nominated and 7 elected (by different committees of town). The Kamdar was its Ex-officio President. The Committee had the power to levy a few taxes.¹³⁰ In 1921, with a view to improving the general condition of the village of Dunpur a sub-committee of five members was appointed.¹³¹ In the year 1928, the number of members of the Banswara Town Committee was raised from 12 to 15.¹³²

In 1937, Dr. Mohan Sinha Mehta joined the State as its Dewan. His reformative outlook led the Maharaja to revise the

125. *File No. 10/15—Law & Local Self Department, Rajasthan, Udaipur, Year 2005 V.S.* : Report of the Chief Executive Officer, Kushalgarh Municipality, 25-5-1948.

126. *File No. 226—Darbar Intjam Municipality Banswara*, p. 2.

127. *Ibid.*, Order No. 1574, dated 19-7-1904, p. 21.

128. *Ibid.*, Order No. 1628, dated 30-10-1905, p. 31.

129. *The Banswara Municipal Act, 1912*, p. 1.

130. *Ibid.*, p. 7.

131. *Administrative Report, Banswara State, 1920-21*, p. 16.

132. *Administrative Report, Banswara State, 1927-28*, p. 19.

constitution of the Banswara Municipality. Soon a Municipal Act was enacted and put into force on February 1, 1939.¹³³ According to this Act, the Banswara Municipality was to consist of a President (Dewan of the State), a Vice-President (elected by the members of the Board), and 23 members—nine nominated and the rest elected by the people.¹³⁴ Every person, who was of 21 years of age, a domicile of Banswara and fulfilled the prescribed property or educational qualifications, was eligible to vote in the municipal election.¹³⁵ The Board, constituted under the Act of 1939, did good work. It appointed a few sub-committees like the Finance Committee, the Building Committee, the Sanitation Committee, the City Improvement Committee and the Power-house sub-committee. These committees met at regular intervals and transacted business entrusted to them. Besides looking to the sanitation and lighting arrangements in its jurisdiction, the Board also did some useful work in the field of education, recreation and welfare. It gave annual grant-in-aid to the Arabic School, Bohra School and Hamilton Library. It constructed and maintained a park in the municipal compound and installed a radio-set there for the recreation of the people. It also gave grant-in-aid of Rs. 600/- for the construction of a Shamsan Ghat. The Board took steps to prevent epidemics and distributed medicines free of charge. In short, the Board did useful work in the field of municipal activities assigned to it.

In the context of changing political situation the Maharaja realised the need for reforms in the Municipal legislation. He made it quite clear in his speech before the Rajya Parishad on January 12, 1946. The Maharawal said : "I know that the Act under which the Municipal Board is working suffers from serious defects and shortcomings."¹³⁶ As such, a reformed Municipal Act was assented by the Maharaja on March 8, 1947.¹³⁷ Accordingly, the Banswara Municipal Board was to consist of 22 members.

133. *File No. 226—Darbar Intjam Municipality, Banswara*, p. 107.

134. *The Banswara Municipal Act, 1938*, pp. 1-2.

135. *File No. 226—Darbar Intjam Municipality, Banswara*, p. 112.

136. Speech of Maharawal : reported in the "*Banswara State Gazette*", 1-2-1946.

137. *The Banswara State Municipal Act, 1947*, p. 1. (Published in *Banswara State Gazette* of 1-4-1947).

Of the 22 members, 14 were to be elected and the rest were to be nominated by the Government of the State.¹³⁸ The term of the Board was to be 3 years. The franchise was lowered but adult franchise was not granted. The President and the Vice-President were to be elected by the members of the Municipal Board from amongst themselves. Besides its obligatory and discretionary functions, the Board was given power to levy taxes, to pass bye-laws and to acquire or dispose of property.¹³⁹

The Act of 1947 was a marked improvement on the previous Act. Firstly, the Board was given statutory status. Secondly, the powers and functions of the Board were considerably enlarged. Thirdly, provision was made for an elected President and a Deputy President. Lastly, the franchise was considerably extended. In spite of these good features, it contained one very undemocratic feature and that was the retention of nominated members.

At the time of the State's integration into the Union of Rajasthan there was only one Municipal Board in the Banswara State, the one in the capital town constituted under the provision of the Municipal Act of 1947. It was composed of 22 members—14 elected and 8 nominated. It had an elected President and the Deputy President, as well.¹⁴⁰

Partabgarh State

A municipality in Partabgarh was established in 1893.¹⁴¹ It was a State department.¹⁴² A Municipal Act was also framed in 1908.¹⁴³ The Act provided for a Board consisting of some elected

138. Ibid., p. 4.

139. Ibid. (Banswara State Gazette, 2-1-6-1947 & 15-6-1947), p. 10.

140. File No. 10/15—*Law & Local Self Department, Government of Rajasthan, Udaipur*, Year 2005 V.S. : Report of the Chief Executive Officer, Banswara Municipality.

141. G.H. Ojha : *History of Rajputana*, Volume III, Pt. I, p. 179.

142. *Partabgarh State Municipal Act*, 1908.

143. Ibid., Section 4.

and some nominated members. Elections were to be contested on communal basis; different castes were to elect different members.¹⁴⁴ The Maharajakumar was to be its President.¹⁴⁵ The work of the Municipality was divided into two branches—General Committee and Working Committee. The former was to hold its meeting once a month and to decide policy. The details were to be left to the Working Committee.¹⁴⁶ The Act was put into force in 1909.¹⁴⁷ In 1917, the size of the Committee was enlarged.¹⁴⁸

In 1938 the Maharaja of Partabgarh, with the object to make better provisions for the organisation and working of Municipal Board and to provide share to the people in arranging their own local affairs, enacted the Partabgarh State Municipal Act. The Act provided for a Municipal Council of 23 members—15 elected and 8 nominated with the Dewan of the State as its Ex-officio President.¹⁴⁹ The Act also provided for a working committee of 9 members to carry on the day-to-day administration of the Municipality.¹⁵⁰ The working committee was empowered to elect its own Chairman from elected members. The Municipal Board was to be a corporate body with its seal and was given power to acquire as well as to dispose of property.¹⁵¹ Every person who was of 21 years of age and fulfilled the prescribed property or other qualifications had the right to vote.¹⁵² The Municipal Committee was to perform a few municipal functions.¹⁵³ It was also empowered to levy certain taxes, viz., the tax on Tongas, the entertainment tax, etc.,¹⁵⁴ to frame bye-laws;¹⁵⁵ to inspect food articles, etc.¹⁵⁶ On November 19, 1947, the Maharaja grant-

144. Ibid., Section 6.

145. Ibid., Section 7.

146. Ibid., Sections 13-17.

147. *Administrative Report, Partabgarh State*, Year ending 30-9-1909, Municipality.

148. *Administrative Report, Partabgarh State*, 1917, Municipalities.

149. *Partabgarh Municipal Act*, 1938, Article 8(a), p. 5. Section 12, p. 12.

150. Ibid., Section 16, pp. 12-13.

151. Ibid., Section 8(b), p. 5.

152. Ibid., Section 9, p. 8.

153. Ibid., Section 40, p. 23.

154. Ibid., Section 25-26, p. 16.

155. Ibid., Section 64, pp. 33-34.

156. Ibid., Section 53, p. 28.

ed an elected president to the Board.¹⁵⁷ At the time of the merger, there was in the State only one Municipality at Partabgarh.¹⁵⁸

Achievements

The Partabgarh Municipal Board made the sanitation and lighting arrangements in the capital town. It constructed and repaired latrines, urinals and drains; paved streets and rastas. Educational and health activities were also undertaken by the Board. During the year 1947-48 the Board spent Rs. 2,252 on sanitation, Rs. 6,627 on lighting, Rs. 4,500 on health, Rs. 1,716 on construction and Rs. 900 on education. The expenditure incurred during the said period shows the good work done by the Board.¹⁵⁹

Sambhar Shamlat

The Sambhar Town Municipality : A municipality for the Sambhar Shamlat area,¹⁶⁰ consisting of 12 nominated members (6 from salt traders and 6 from the general public) was established in 1934 to look after the general sanitation and other aspects of municipal administration.¹⁶¹ Its work was quite satisfactory in both these respects. During the years preceding and after the Second World War, the Governments of Jodhpur and Jaipur took measures to improve municipal administration in their respective States, and, as such, it was only proper to give the people of Sambhar a share in the management of their local affairs. So, in 1947, the Sambhar Shamlat Municipal Act was passed. Accordingly, elective element was introduced in the Board and powers and functions of the municipality were enlarged.¹⁶² Elections

157. Announcement Partabgarh (typed copy^h enclosed with the Act), p. 1938.

158. *File No. 10/15—Law & Local Self Department, Rajasthan, Udaipur*, Year 2005, V.S. ; Report of Chief Executive Officer, Partabgarh.

159. *Ibid.*

160. Sambhar Shamlat area comprises of 12 villages with an area of 110 square miles and was under the joint administration of the Governments of Jaipur and Jodhpur since 1709 A.D.

161. *Administrative Reports, Jodhpur State*, 1934-35, p. 80.

162. *Administrative Report, Jaipur State*, 1947-48, Municipalities.

were held at the end of 1947, and the new Municipal Board started functioning in the beginning of 1948.

In the preceding lines we have studied the historical growth, powers, achievements, and salient features of the urban local self-governments in the States of Western and the Southern divisions of Rajasthan. In the next chapter we shall study the historical growth, powers and functions, etc., of the urban local self-government in the states forming the Eastern Division of Rajasthan and will attempt a critical and co-ordinated survey of the municipal administration in Rajasthan as a whole.

CHAPTER EIGHT

Urban Local Self-Government in the Eastern Division of Rajasthan

Jaipur State .

Municipality was established in the City of Jaipur for the first time in 1869.¹ It had eleven nominated members including the Chairman.² The Committee did not function satisfactorily. Therefore, in August 1923, the State Council appointed a committee of eleven persons to devise ways and means of overhauling the whole system.³ On the recommendations of the Committee, a new municipal regulation was passed in August 1926, and was brought into force. The number of members was increased to 26 including one president, 20 non-official members and 5 ex-officio members.

The Regulation was a marked improvement on the existing state of affairs as it gave definite rules and instructions, laid down a constitution of the committee, clearly defined the powers and functions of the Chairman and other Officers, and prescribed a definite procedure for the conduct of business, for the grant of contracts, for the imposition of municipal taxes and for the administration of municipal finance. The Regulation also invested the Committee with the usual powers of control in respect of sanitation and other matters bearing upon public health, safety and convenience.⁴ But the Regulation of 1926 did not satisfy the people as it did not grant elected element in the municipality.

1. *Jaipur*, p. 66;

Administrative Report, Jaipur State, 1870-71, p. 193.

2. *Administrative Report, Jaipur State*, 1870-71, p. 193.

3. *Administrative Report, Jaipur State*, 1922-1926, p. 115.

4. *Administrative Report, Jaipur State*, 1922-26, p. 115.

Therefore, the public held a meeting on September 2, 1927, adopted a resolution that the city municipality should consist only of elected members.⁵ Again, in August 1928, the people of Jaipur addressed an open letter (already referred to in Chapter III) to the Viceroy when he visited Jaipur, enlisting a few demands including the demand for the establishment of a municipal committee at Jaipur consisting of elected members.⁶ But nothing happened till 1938.

The Maharaja of Jaipur, with the object to regularise the functions and powers of the Jaipur Municipal Committee, passed a Jaipur Municipal Act in 1938.⁷ The Act of 1938 was marked by three distinct features. Firstly, elective element was introduced in the municipality. It was provided in the Act that no less than 50% members were to be elected and not more than 25% of the nominated members were to be officers of the Government.⁸ Owners of houses of the value of Rs. 2,000/- and above, or graduates, or persons getting a salary or pension of Rs. 200/- were to be eligible to vote in the elections to the municipality.⁹ Secondly, the Municipality was given a limited power of imposing taxes. The municipality could levy (with the previous sanction of the Government and subject to its approval) a tax on vehicles, house scavenging and private latrines. Thirdly, the Government was empowered to declare any area as municipal area.¹⁰

In spite of these features, the new Act suffered from a few defects also. Firstly, there was no provision for an elected Chairman. Secondly, the franchise was kept very restricted. The number of voters in the city was 4,576, i.e., 2.6% of the population. Thirdly, the powers and functions of the municipality were

5. "The Indian National Herald", September 9, 1927.

6. "The Hindustan Times", 4-8-1928.

7. *Constitutional Reforms in Jaipur, Report of the Committee on Constitutional Reforms*, 1943.

8. *Jaipur Municipal Act*, 1938, Section 12, p. 5.

9. *Constitutional Reforms in Jaipur, Report of the Committee on Constitutional Reforms*, 1943, Appendix 4; *Jaipur Municipal Act*, 1938, p. 20.

10. *Jaipur Municipal Act*, 1938, Section 9, p. 2.

very limited. Its functions related mostly to sanitation and public health. Fourthly, the municipality was not granted separate statutory powers. The elections to the Jaipur Municipal Board were held in December 1938. The new Board consisted of 30 members—15 elected and 15 nominated. It had a nominated Chairman. It continued to function as a department of the state. In 1939, a municipality with a small elective element was established in Hindon.¹¹ In 1941, the Jaipur State Small Town Rules were framed and a few town committees were established.¹²

In November 1943, the Government of Jaipur State enacted 'The City of Jaipur Municipal Act.'¹³ The Act provided for the establishment of an expanded Municipal Council of 36 members—27 elected and 9 nominated.¹⁴ The Vice-Chairman was to be elected by the members of the Municipal Council from amongst themselves.¹⁵ Franchise was also kept fairly low. The Municipality was given large number of obligatory and optional functions to perform, such as the construction of buildings and maintenance of public parks, gardens, libraries, museums, lunatic asylums, rest houses, dharamshalas.¹⁶ The Municipality was given powers to make rules and bye-laws. It was also given powers to hold property, to levy taxes and to suspend any tax.¹⁷

In spite of a few shortcomings, the Act of 1943 was a marked improvement on the Act of 1938 as it provided for an elected Vice-Chairman, gave statutory powers to the municipalities, lowered the franchise considerably and enlarged the functions and powers of the Boards. Elections to Jaipur Municipality were held on June 14, 1944. The first meeting of the council was held on June 29, 1944. The elected members put forth a demand for an elected President. The demand being rejected, they staged a

11. P.C. Jain (Editor) : Op. Cit., p. 38.

12. *Jaipur*, p. 66.

13. *Administrative Report, Jaipur State, 1946-47*, p. 44;
The City of Jaipur Municipal Act, 1943, p. 1.

14. *Administrative Report, Jaipur State, 1946-47*, p. 44;
The City of Jaipur Municipal Act, 1943, Section 9.

15. *Administrative Report, Jaipur State, 1946-47*, p. 44.

16. *The City of Jaipur Municipal Act, 1943*, Sections 71, 72, 73.

17. *The City of Jaipur Municipal Act, 1943*, Sections 62, 70.

walk-out and then 23 of them resigned. So the by-elections were held but in by-elections the same old members were returned.¹⁸ Consequently, in June 1945, an elected Chairman was granted and Shri Devi Shanker Tiwari was elected to the post.¹⁹

In December 1943, the Jaipur State Town Municipalities Act was passed.²⁰ It provided for the establishment of municipal boards in every town with a population of 5,000 or more. These municipal boards were to consist of some elected and some nominated members.²¹ The franchise was kept fairly low. The Chairmen of the boards were to be government officials at the outset but gradually with the growing public interest in local affairs some of them were to be replaced by the elected Chairmen.²² The Vice-Chairman in every case was to be an elected one.²³ The total number of members for the board was to vary from 10 to 16 according to the size of the municipal board.²⁴ The Chairman was to be the executive head of the municipal administration subject to the general control of the government.²⁵

The boards were given obligatory and discretionary functions, such as lighting and watering the public streets, extinguishing fires and protecting life and the property, constructing and maintaining public streets and culverts, obtaining supply of water, registering births and deaths, housing and maintaining the destitutes, orphans and crippled, etc., making survey, providing music for the people, taking census, planting and maintaining trees, promoting of public health and infant welfare, and granting loans to encourage local arts and industries.²⁶ The boards were given powers to frame rules for regulating the conduct of business as well as for the general guidance of municipal servants.²⁷ The boards were also empowered to levy taxes on

18. *Administrative Report, Jaipur State, 1943-44*, pp. 112-113.

19. "*Lokvani*", June 20, 1945.

20. *Jaipur*, p. 66.

21. *The Jaipur State Town Municipalities Act*, Section 8(1), 1943.

22. *Ibid.*, Section 22(1 & 2).

23. *The Jaipur State Town Municipalities Act*, 1943, Section 24(4).

24. *Jaipur*, p. 66.

25. *Ibid.*

26. *The City of Jaipur Municipal Act*, 1943, Sections 53-56.

27. *Ibid.*, Section 44, pp. 45-47.

buildings, land-holdings, vehicles and on goods brought in or sent out from the municipal limit.²⁸

Subsequent Reforms

In November 1946, the Government of Jaipur constituted a municipal fund to help the Municipal Board of Jaipur whose financial condition was not sound.²⁹ Furthermore, the State gave an annual grant of one lac rupees for the years 1946-47 and 1947-48. A non-recurring grant of 5 Lacs rupees and a loan of equal amount were also sanctioned in 1947-48 for financing the two major works required, i.e., doubling the water supply, and completion of the underground sewers.³⁰ In July 1948, the Jaipur City Municipal (Amendment) Act was passed. This Act introduced the principle of adult franchise for the first time in the State.³¹ At the time of the merger of the State into the Union of Rajasthan there existed a Municipal Board at Jaipur and 37 Town Boards.

Achievements

Municipal boards in Jaipur State did some useful work³² during 1945-1949. The Jaipur City Municipal Board constructed bridges, quarters for the poor, public latrines, urinals and drains. It paved the *rastas* and planted trees on various roads. It took steps to tighten up the municipal bye-laws regulating public health, sanitation and traffic. It maintained two municipal fire-fighting lorries and a number of *Bhusties* to check the out-breaks of fire in the city. Licences were issued for hackney carriages, bullock-carts, drays, and Motor Vehicles. It also collected the vital statistics of births and deaths. It started a campaign against stray dogs. In 1944, it organised a Health Exhibition. Reading rooms were also opened at a few *Chokries* in the city. The Town Municipalities looked after sanitation and lighting

28. Ibid., Section 46, pp. 48-56.

29. *Jaipur*, p. 66 ;

Administrative Report, Jaipur State, 1946-47, p. 143.

30. *Administrative Report, Jaipur State, 1947-48*, p. 141.

31. *Jaipur*, p. 66—Note : Elections on the basis of adult franchise were held in the beginning of 1950.

32. The description of achievements is based on *The Annual Administrative Report, Jaipur State, 1916 to 1948*.

arrangements in their respective areas. A few boards took steps also to pave the streets, constructed public parks and open reading rooms.

Salient Features

The growth of municipal administration in the State of Jaipur was marked by two features. Firstly, the powers and status which the municipal government enjoyed in the State were the result of continuous public demand and pressure. Though Maharaja Ram Singh had established, of his own accord, Municipality for the city of Jaipur in 1869, yet, in true sense, a municipality enjoying the corporate privileges came into being only in 1943. Secondly, municipal movement made great strides in the forties of the present century. In 1939, there were only two municipalities in the State but the number rose to 38 by the close of 1948. Out of these 38, 16 municipalities had elected Chairmen. Steps were also taken to improve their financial condition. In comparison with the British Provinces the movement was still in its elementary state in 1948.

Kishangarh State

Municipal government in Kishangarh State came into being in 1895.³³ In that year a Municipal Board of a few nominated members (official as well as non-official) was established for the town of Kishangarh. In 1901, a Municipal Board for Sarwar was established.³⁴ In 1903, a Municipal Board for Rupnagar was established but only to be dispensed with in 1909.³⁵ In 1932, a Municipal Board for Madanganj was established.³⁶ All these boards consisted wholly of nominated members and were presided over by the nominated presidents. In 1939, the Kishangarh State Advisory Board passed a resolution urging the Ruler to establish municipalities in the State in an organised form.³⁷ There-

33. *Administrative Report, Kishangarh State, 1910-11*, p. 11.

34. *Ibid.*

35. *Ibid.*

36. *Administrative Report, Kishangarh State, 1937-38*, p. 9.

37. *File No. 70—Advisory Board, Kishangarh State, Year 1906, V.S. Resolution No. 32.*

fore, a committee of six members under the Chairmanship of Shri A.L. Bapna was appointed to prepare a scheme for municipal reforms.³⁸ The committee prepared a draft bill and submitted it to the Advisory Board on April 14, 1941.³⁹ The bill provided for a board consisting of some elected and some nominated members. Persons who had attained the age of 18 years and possessed the prescribed property and educational qualifications were given the right to vote at the municipal elections. Provision was also made for an elected chairman. The board was given a large number of municipal functions to perform. The draft bill was approved by the Advisory Board with a few amendments and was submitted to the Mahkma Khas for approval.⁴⁰ It was approved by the Ruler and on receiving his assent it became an Act in 1943. However, the Act remained only on paper and was never materialised and, as such, the old municipalities continued to function.⁴¹

The Kishangarh State Praja Mandal, which came into being in 1946, requested the Maharaja to establish elected municipalities in the State.⁴² But the Ruler paid no heed to the request of the Praja Mandal.⁴³ Left with no other alternative, the Praja Mandal, in December 1946, launched a movement to achieve its objective. This forced the Ruler to accede to the demands of the Praja Mandal.⁴⁴ Consequently, municipalities in the State were reorganised and elections were held in 1947.⁴⁵

At the time of the merger of Kishangarh State into the Union of Rajasthan there were two municipalities in the State, viz., Kishangarh and Sarwar. The Kishangarh Municipality consisted of 17 members—14 elected and 3 nominated ; and the Sarwar Municipality consisted of 11 members—9 elected and 2 nominat-

38. *File No. 74A—Advisory Board Kishangarh State, Year 1936, V.S., p. 7.*

39 and 40. *File No. 118A—Advisory Board Year 1937 V.S., Draft Municipal Act.*

41 to 44 : Personal investigation, based on the information received by Rao Sahib Gopichand Chhajer, Shri Fayiaj Ali, Shri Chand Mal Mehta, Shri Gulrajji Darda, etc.

45. *File No. 10/15—Law and Local Self-Government, Rajasthan, Udaipur, Year 2005, V.S. : Report of the Chairman, Municipal Committee, Kishangarh dated 14-5-1948.*

ed. These committees had very few municipal functions. They had no powers to impose taxes, albeit they could make recommendations for the imposition of a tax.⁴⁶ Thus the municipal administration in the State was completely in its infancy even in 1948.

Tonk State

Municipality was first established in the Capital city of Tonk in 1898.⁴⁷ In 1908, municipalities were established in the towns of Aligarh, Chhabra, Sironj, and Nimbahera.⁴⁸ They worked in the same old mode till 1939. Then in 1939, the Nawab passed a Municipal Act. Under the provisions of the Act all municipalities were re-organised and municipalities were established at Tonk, Sironj, Nimbahera, Chhabra, and Pirwa.⁴⁹ These municipalities consisted of elected as well as nominated members. Elected members were elected on the basis of restricted franchise and separate electoral system.⁵⁰ These municipalities were mainly required to look after sanitation and public health. They had the power to impose taxes, such as slaughter tax, Teh Bazar Tax, light tax, licence fee and road toll of the Banas River. In 1943, the Tonk municipality was granted an elected president.⁵¹

At the time of the State's merger into the Union of Rajasthan, there were five municipalities in Tonk State, i.e., Tonk, Sironj, Nimbahera, Chhabra and Pirwa.⁵² Each municipality had a Municipal Committee consisting of elected as well as nominated members. The Chairman of Tonk municipality was elected from amongst the members of the Board for 3 years, while in other municipalities the Nazim (Sub-District Officer) of the respective parganas was their ex-officio President. Sanitation and public health were looked after by all these municipalities, but their work

46. Ibid.

47. *Administrative Report, Tonk State, 1904-05*, p. 6.

48. *Administrative Report, Tonk State, 1908-09*, p. 83.

49. *Administrative Report, Tonk State, 1939-40*, p. 53.

50. Ibid., p. 56.

51. *Administrative Report, Tonk State, 1945-46*, p. 65.

52. *File No. 10/15—Law & Local Self Government, Rajasthan, Udaipur, Year 2005, V.S. : Report of the Collector, Tonk, 10-9-1948.*

was far from being satisfactory.⁵³

Alwar State

The Maharaja established a Municipal Committee consisting of a few nominated members for the capital city of Alwar in 1880.⁵⁴ Subsequently, municipalities were established at Ramgarh (1883), Bahadurpur (1884), Tijara (1886), Rajgarh (1886), Shahabad (1891), Govindgarh (1891), and Behror (1891).⁵⁵ In 1903, the Alwar Municipal Committee Act was passed. The Act provided for a Municipal Committee of 14 members including the President and the Vice-President.⁵⁶ The members, the President, and the Vice-President were to be nominated by His Highness. The President of Alwar Municipal Committee was to be in charge of District Municipal Committees.⁵⁷ The number of District Municipal Committees rose to 28 during the year 1920-21 and it reached 32 in 1923-24.⁵⁸ In 1922, Maharaja Jai Singh ordered the revision of the Municipal Act of 1903. In between 1922 and 1932 five drafts were prepared for the revision but the Maharaja disapproved of them all. After the Maharaja's banishment, the Alwar State Municipalities and Small Town Committees Act of 1934 was passed.⁵⁹ Accordingly, the municipalities in the State were re-organised and a Small Town Committee was established at Rajgarh. The Alwar Municipal Board was composed of 20 nominated and 4 official members and the Small Town Committee of Rajgarh consisted of 15 nominated and 3 official members. The presidents of the Board and the Committee were to be nominated by the Maharaja. The Board and the Town Committee was

53. Ibid.

54. File No. 243—*Annual Administrative Report, Alwar Municipality, 1916-17*, p. 2.

55. File No. 113—*Annual Administrative Reports, Alwar Municipalities, 1911-12*, p. 3.

56. File No. 153/F/23—*Municipal Act, Alwar State : Alwar Municipal Committee Act No. 1 of 1903*, p. 2.

57. File No. 243—*Annual Administrative Report for the year 1920-21, Municipality Alwar State* ;

Alwar Annual Administrative Report for the year 1925-26.

58. Ibid., pp. 42, 172, 188.

59. *Administrative Report, Alwar State, 138-39*, p. 193.

given wide obligatory and optional functions to perform, viz., construction and maintenance of public streets, urinals, drains, etc.; registration of births and deaths; lighting and cleaning of public streets, etc.⁶⁰ In 1936, a Town Committee of 14 members—11 nominated and 3 officials—was established at Tijara.⁶¹

On May 25, 1938, the Alwar Praja Mandal put forth a demand for elected municipalities in the State.⁶² But the Government paid no heed to the Praja Mandal demand and the Mandal was obliged to launch a movement to achieve its objective. The movement was suspended only when the State authorities agreed to the demand.⁶³ In 1939, the Alwar Municipal Board was reconstituted. Accordingly, it was to consist of 24 members—20 elected, 2 nominated to represent women and depressed classes, and the remaining 2 officials.⁶⁴ A person who fulfilled certain age and property or educational qualifications was entitled to vote at an election.⁶⁵ The first elections were held in November, 1939.⁶⁶ As the Praja Mandal was not a registered association, the elections were contested by the Praja Mandal workers individually. They organised a Progressive Party in the municipality but the party soon disintegrated.⁶⁷ In 1940, the Alwar Municipal Board was granted a non-official Chairman. But the appointment of a non-official Chairman gave rise to jealousy amongst the members of the Board and, as such, on January 31, 1941, they passed a resolution favouring the appointment of an official as President of the Board.⁶⁸ Resultantly, a Magistrate was appointed as President of the Board.⁶⁹ In the same year the

60. *Alwar State Municipalities and Small Town Act of 1934*, pp. 2-17.

61. *File No. 675-D/41—Introduction of Election System in Town Committee, Tijara*, p. 2.

62. *Alwar Praja Mandal File—Workers' Conference*, August 1946, p. 4.

63. *Ibid.*

64. *Administrative Report, Alwar State, 1940-41*, p. 228.

65. *Ibid.*

66. *Alwar Praja Mandal File—Workers' Conference*, August 1946.

67. *Ibid.*

68. *File No. 568-D/40 Volume II—Arrangement for the Office of President of Alwar Board and Small Town Committees*, Resolution of 31-1-1941.

69. *Ibid.*, Letter No. Nil dated 3-4-1941.

people of Tijara put forth a demand for an elected Town Board. The Government agreed to the popular demand and sanctioned the introduction of election system which came into force from April 1, 1942.⁷⁰ On the demand of the people of Kherli, the Government sanctioned, in 1944, the establishment of a Town Committee of 9 members—7 non-official and 2 official.⁷¹ In 1945, the Alwar Municipalities and Town Committees Act was amended to provide for an elected President for the Alwar Municipality.⁷² Lala Kashi Ram was unanimously elected as President of the Board. Subsequently, the Town Committees of Tijara and Rajgarh were also granted the privilege to elect their presidents.⁷³ Thus, in 1948, there existed one Municipality at Alwar city and 3 Town Committees at Rajgarh, Tijara and Kherli and, till then, their composition remained unchanged.

Achievements

The Alwar Municipal Board carried out sanitary and lighting arrangement duties. For sanitation purposes it maintained a staff consisting of a health officer, sanitary inspectors, menials and about 206 sweepers. During 1941-1945, the Board spent one lac and five thousand rupees on sanitation and thirty-four thousand rupees on lighting. It also made arrangements for sprinkling water on the roads and fire-brigades. It started a campaign against stray dogs. It also took steps to construct and repair latrines, urinals and drains in the town and spent about two thousand rupees on it between 1941 and 1945. The Town Committees performed only sanitation and lighting duties in the area under their jurisdiction.⁷⁴

70. *File No. 675-D/W—Introduction of Election System in Town Committee Tijara*, Order September 23, 1941, p. 14.

71. *File No. 929/D/41—Establishment of Town Committee at Kherli*, p. 43.

72. "*Alwar State Gazette*", 28th November, 1945.

73. *File No. 568/D/40*, Volume II—Letter No. 2735, Prime Minister, dated 20-12-1945.

74. The description of the achievements of the municipalities is based on the Annual Administrative Report, Alwar State, from 1932 to 1946.

Salient Features

One of the distinctive features of the development of municipal administration in the State was the provision for the representation of women and depressed classes in the Municipal Board of Alwar City. Another was the introduction of elections in the Municipal Board and Town Committees on the basis of joint electorate with an elected Chairman. But the financial resources of the Board or Committees were very meagre and their powers and functions were very limited.

Bharatpur State

A humble beginning in the direction of Urban Local Self-Government in the State of Bharatpur was made in the year 1895.⁷⁵ In that year the Maharaja appointed a Sanitary Committee of five members—four official and one non-official. The Committee was reconstituted and renamed as the Sanitary Board in 1897.⁷⁶ The Board was to compose of 5 members, one President and one Vice-President. In 1898, a Sanitary Board was established in the town of Deeg.⁷⁷

In the year 1901, The Bharatpur Municipal Board Rules were framed.⁷⁸ The Sanitary Board, Bharatpur was converted into a Municipal Board.⁷⁹ It was to consist of 12 members, including the President and Vice-President. All members were to be appointed by the State Council. The Town was to be divided into 12 wards and each member was to be in charge of a ward.⁸⁰ In June 1904, Deeg Sanitary Board was converted into a Municipal Board.⁸¹ In September 1905, The Municipal Board of Bharat-

75. *Administrative Report, Bharatpur State, 1895-96*, p. 26.

76. *Administrative Report, Bharatpur State, 1897-98*, p. 13.

77. *Administrative Report, Bharatpur State, 1902-03*, p. 13.

78. *File No. 242 (From 1900 A.D. to 1915)—Constitution of Municipal Board, Bharatpur*, p. 160.

79. *Ibid.*, Order No. N1., dated 13-2-1901, p. 120.

80. *File No. 242 from 1900 to 1915 A.D.—Constitution of Municipal Board, Bharatpur*, p. 160.

81. *Administrative Report, Bharatpur State, 1904-05*, p. 8.

pur was reconstituted with the District Magistrate as its President, the City Magistrate as Vice-President, the Agency Surgeon and the State Engineer as ex-officio advisers and the Assistant Engineer and the Assistant Surgeon as its ex-officio members.⁸²

In 1907, Sanitary Boards were established at Kama, Kumer, Weir, Bayana and Bhusawar.⁸³ In the year 1923, Maharaja Kishan Singh sanctioned a Reorganisation Scheme for Bharatpur Municipal Board.⁸⁴ In accordance with the Scheme the number of wards was reduced to 6 and a non-official member was to represent each ward. In addition to the ward members, 9 state officials were also made the members of the municipality.

On October 4, 1925, the people of Bharatpur City, on the occasion of His Highness's birthday, presented an 'Abhinandan Patra' to High Highness wherein they requested the Maharaja to give a popular character to the municipalities in the State. In reply to this, the Maharaja promised to introduce election system in the municipalities of the State from November, 1925.⁸⁵ To give effect to this, the His Highness gave his assent to the Bharatpur Municipal Act on November 18, 1925.⁸⁶ According to the Act, the Bharatpur Municipal Board was to consist of 17 members—10 elected, two nominated non-officials and 5 officials.⁸⁷ The Deeg Municipal Board was to compose of 11 members—6 elected, 3 nominated officials and 2 nominated non-officials.⁸⁸ The term of the members was to be 3 years.⁸⁹ The President and the Vice-President were to be elected by the members but they were to be appointed only on the approval of the Ruler. However, provision was made for nominating a President, for the

82. *Administrative Report, Bharatpur State, 1905-06*, p. 9.

83. *Administrative Report, Bharatpur State, 1908-09*, Municipalities.

84. *Administrative Report, Bharatpur State, 1924-25*, Municipalities.

85. *File No. 3/C—Municipal Act, Bharatpur*, p. 2.

86. *Ibid.*, p. 5.

87. *Bharatpur Municipal Act, 1925*, Section 4(a), p. 1.

88. *Ibid.*, Section 4(b), p. 2.

89. *Ibid.*, Section 4(c), p. 2.

first year.⁹⁰ One-third of the members were to form the quorum.⁹¹ The Municipal Board was given multifarious municipal duties. The Municipal Board was also to have powers to levy certain taxes, like octroi duties, licences, fees, etc.,⁹² and to frame bye-laws.⁹³

State Municipal Election Rules were approved by the Council of State in its Resolution No. 1398, dated August 13, 1935. Every person who had attained the age of 20 years and had monthly income of not less than twenty rupees or was owner of a property in municipal area of the value of not less than Rs. 2000/- or paid land-revenue of not less than Rs. 10/- or paid house rent of Rs. 20/- per year and was not of unsound mind, was given the right to vote in the elections to the municipality.

In 1936, Sanitary Boards were established at Rupbas, Nagar, Pahari and Nadbai.⁹⁴ In 1937, the designations of the President and Vice-President of Bharatpur Municipal Board were changed to the Chairman and Vice-Chairman.⁹⁵ Rules for Town Boards in the State of Bharatpur were sanctioned by the Council of State in its Resolution No. 2568 dated December 14, 1937.⁹⁶ Each Town Board was to consist of three ex-officio members—Tahsildar, Naib-Tahsildar and Sub-Assistant Surgeon, and four non-official members.⁹⁷ The non-official members to be appointed by the members of the State Council (in charge of the Town Boards) from the respectable residents of the town who might be considered suitable for the purpose.⁹⁸ The term of the non-official members was to be 3 years.⁹⁹ The Town Boards

90. Ibid., Section 7, p. 2.

91. Ibid., Section 13, p. 3.

92. Ibid., Section 29, p. 6.

93. Ibid., Section 52, p. 12.

94. *Administrative Report, Bharatpur State (1936-37)*, Volume 37.

95. Ibid.

96. *File No. 250—Rules for the Town Boards, Bharatpur*, p. 1.

97. *Rules for the Town Board of Rupbas, Nagar, Pahri, Nadbai (Bharatpur State)*, 1937, p. 2.

98. Ibid.

99. Ibid., p. 3.

were to have multifarious duties, like making necessary arrangements for the control of offensive or injurious occupations and malpractices, occasionally inspecting all sources of drinking water, such as wells, tanks, pokhars, and pools, to make arrangements for cleaning them and to protect them from pollution and to have the water medically tested from time to time; to take steps for the suppression of rabid and stray dogs; to secure registration of births and deaths; and to prevent encroachment on public roads and seats.¹⁰⁰

In 1941, the Maharaja decided to introduce a few reforms in the Bharatpur Municipal Board and announced the reforms on the occasion of the Dashera Banquet. Speaking on the occasion, the Maharaja observed : "I have been watching with interest the working of municipalities in the State; and I consider that the time has come for extending the franchise....." Accordingly, the number of the official members in the Board was reduced to 3 and that of non-official nominated members was raised to 4. The number of elected members remained the same. Every person possessing property worth Rs. 100/- or having passed the High School Examination was eligible to vote at the elections.¹⁰¹

At the time of the merger of the State into the Union of Rajasthan, there existed 2 municipalities, i.e., at Bharatpur and Deeg, and nine Town Committees, i.e., at Bayana, Kaman, Bhuswar, Kumher, Nagar, Weir, Rupbas, Nadbai, and Pahari. All municipalities and town committees had elected Chairmen or the President.

Achievements

The Bharatpur Municipal Board looked after the sanitation and conservancy arrangements and provided lights in the streets. It constructed roads, drains, urinals and latrines. But the sanitary condition of the town was not satisfactory even in 1948. It also collected vital statistics of deaths and births. The

100. Ibid., pp. 4-5.

101. *Administrative Report, Bharatpur State, 1941-42*, p. 6.

Municipal Board, Deeg and all Town Committees looked after the sanitation and lighting arrangements. In short all the aspects of municipal activities were still in their elementary stage in the State of Bharatpur.¹⁰²

Dholpur State

The municipal administration in Dholpur State was brought into existence in 1904.¹⁰³ In that year Maharaja Ram Singh established a Town Council for Dholpur with the object to look after the buildings, drains, roads, and the sanitation of the town. The Council consisted of 7 ex-officio members, 4 nominated members and one Secretary. The Maharaja was its president. The term of the members was kept 2 years. The expenses of the Town Council was incurred by the State. In April, 1909, a Town Council of 15 members under the presidentship of the Tehsildar was established at Bari.¹⁰⁴ In the year 1910, town councils in Rajakhera, Kolari, Basori and Sirmothra were established.¹⁰⁵ In 1936, the Government of Dholpur passed the Dholpur Municipalities Rules and Business Procedure.¹⁰⁶ It provided for the establishment of municipal committees in the towns of Dholpur Bari, Basori and Rajakhera.¹⁰⁷ The Committees were to consist partly of nominated officials and partly of nominated non-official members.¹⁰⁸ The nominations were to be made for 3 years.¹⁰⁹ The committees were given powers to levy taxes on vehicles.¹¹⁰ They were also empowered to levy a few other taxes with the previous sanction of the government.¹¹¹ This arrangement continued till the State's integration into the Union of Matsya,

102. The above description of the achievements of municipalities is based on the Annual Administrative Reports, Bharatpur State, from 1904 to 1940.

103. *Administrative Report, Dholpur State, 1904-05*, p. 10.

104. *Administrative Report, Dholpur State, 1908-09*, p. 21.

105. *Administrative Report, Dholpur State, 1908-10*, p. 15.

106. *Dholpur Municipality Rules and Business Procedure, 1936*, p. 1.

107. *Ibid.*, Section 3, p. 3.

108. *Dholpur Municipality Rule and Business Procedure, 1936*. Sections 5 & 11.

109. *Ibid.*, Section 10, p. 3.

110. *Ibid.*, Section 13 (1), p. 4.

111. *Ibid.*, Section 13(2), p. 4.

but the municipal administration made little progress in the State even up to 1948.

Karauli State

The municipality was established for the city of Karauli by an Order of the State Council, dated 29th October, 1884.¹¹² It was to consist of 12 members.—9 elected by the public and 3 nominated by the state authorities.¹¹³ As it was considered impossible to arrange elections in the very first year, it was laid down in the Order that all the 12 members should be nominated in the first instance.¹¹⁴ The provision for elections was not put into force till 1939 for the reasons not yet known. The term of the members of the Board was 3 years but one-third of the members were to retire every year.¹¹⁵ The Maharaja was to be the President of the Board.¹¹⁶

The principle of election was introduced for the first time in 1939, when the Maharaja accorded his sanction to the election rules as well as to the revised constitution of the municipality.¹¹⁷ Accordingly, the Karauli Municipality was to consist of 20 members.—10 elected by the public and 10 nominated by the State authorities so as to represent various predominating classes with a nominated President. The Board had the power to levy octroi on staple food stuff excluding rice.¹¹⁸ At the time of the formation of the Matsya Union there was only one municipality in the State at Karauli. It was a department of the state and had very limited powers and functions. Its financial resources were very few and the sanitary condition of the city was also not satisfactory.

Kota State

Sanitary arrangements in the City of Kota were first made in

112. *Administrative Report, Karauli State, 1939-40*, p. 126.

113. *File No. 68—Municipal Act, Karauli, Year 1900, V.S., Section 1.*

114. *Ibid.*, Section 2, p. 2.

115. *Ibid.*, Section 3.

116. *Ibid.*, Sections 3 & 5., p. 6.

117. *Administrative Report, Karauli State, 1938-39*, pp. 124-125.

118. *Administrative Report, Karauli State, 1938-39*, p. 124.

1863.¹¹⁹ The Kotwal of the City was entrusted with the task of looking after the sanitation of the city.¹²⁰ The arrangement did not work satisfactorily and, as such, Nawab Fiaz Ali, the Dewan established a Municipal Committee for Kota City in 1884.¹²¹ The Committee had a few nominated members with an official Chairman and was a department of the state.¹²² In 1915, a Municipal Board was established at Baran.¹²³

In 1915, Maharawal Umed Singh assented to the Municipal Rules for Kota City.¹²⁴ Accordingly, the Board was to consist of 28 members—15 nominated and 13 elected—with a non-official elected Chairman.¹²⁵ The Board was given power to levy octroi.¹²⁶ Its function remained limited to sanitation and public health.¹²⁷ Owing to their exactness and clarity, the new rules were a marked improvement on the existing state of affairs. The introduction of elective element with an elected non-official chairman was of distinct importance. Though elected majority was not granted and property or educational qualifications were still prescribed for a person to be eligible to vote at the elections to the municipality, yet the introduction of elective element in those circumstances was commendable and was definitely a forward step in the history of Local Self-Government in the State of Kota.

The first elections to the Municipal Board for Kota City were held in 1916.¹²⁸ The privilege of electing a non-official Chairman was given effect in 1921.¹²⁹ In May, 1925, the elected Chairman was replaced by an official Chairman by an Order of Mahkmakhas, dated 2nd May, 1925, because the elected Chairman

119. Dr. M.L. Sharma : *History of Kota State*, Volume II, (V.S. 1996), pp 666-667.

120. *Ibid.*, p. 667.

121. *Ibid.*, p. 775.

122. *Ibid.*

123. *Administrative Report, Kota State* for the year 1915-16, p. 61.

124. *Ibid.*, 1919-20, p. 26.

125. *Ibid.*, p. 27.

126. *Ibid.*

127. *Administrative Report, Kota State*, 1919-20, Municipality.

128. *Ibid.*, Municipality.

129. *Administrative Report, Kota State*, 1921-22, p. 35.

could not work owing to non-cooperative attitude of the members of the Board.¹³⁰ In 1925, the Kota City Municipal Board was reconstituted with a view to reducing the number of elected members and securing better persons to work on the Board.¹³¹ So, the Board was to consist of 12 elected and 5 nominated members.¹³² In 1929, the privilege of an elected Chairman was restored.¹³³ But there was a lot of acute party feeling and tension among the members, so the elected Chairman was forced to resign after a few months. As such, the government had to resort to the old arrangement of an official Chairman.¹³⁴ Next year, the Government of Kota owing to the inability of the members to elect a Chairman adopted a *via media* and asked the Municipal Board to suggest a panel of four names for the office of the Chairman. The *Mahkma-khas* was to select any one from the panel to act as Chairman.¹³⁵ Accordingly, four names were suggested by the Board, out of which the State authorities selected one as Chairman. In 1935, the Kota City Municipal Board was reconstituted.¹³⁶ Accordingly, it was to consist of 13 elected, 4 nominated and 4 ex-officio members with an elected Chairman. In 1936 and 1938 municipalities were established at Aklera and Bhimganj.¹³⁷ In 1940, Baran municipality was granted an elected Chairman.¹³⁸ In 1941, revised election rules for Kota City municipality were given assent to. Every person of 21 years of age who fulfilled certain property or educational qualifications was given the right to vote in elections to the municipality.¹³⁹

At the time of the State's merger into the Union of Rajasthan there were four municipalities in the State, i.e., Kota City,

130. *Administrative Report, Kota State, 1925-26*, p. 23.

131. *Ibid.*

132. *Administrative Report, Kota State, 1927-28*, p. 24.

133. *Administrative Report, Kota State, 1929-30*, p. 35.

134. *Ibid.*

135. *Administrative Report, Kota State, 1930-31*, p. 30.

136. *Administrative Report, Kota State, 1935-36*, p. 29.

137. *Administrative Report, Kota State, 1938-39*, p. 30.

138. *Administrative Report, Kota State, 1939-40*, p. 66.

139. *File No. 10/15—Board Law & Local Self Department, Rajasthan, Udaipur*; V.S. 2005; Rules of election for Kota municipal board assented on 14-8-1941.

Baran, Aklera and Bhimganj.¹⁴⁰ They had large number of obligatory and discretionary municipal functions. Municipalities also had the powers to frame bye-laws and to impose a few taxes.¹⁴¹

Achievements

All municipalities in Kota State carried out sanitary and lighting work in their jurisdiction.¹⁴² They also undertook the construction and repairs of latrines, municipal shops, wells, etc. The Kota Municipal Board, besides its usual work, maintained an Orphanage and ran a Night School in the City. It gave annual grant-in-aid for the educational development of the city. It constructed and maintained a park in the town. Vital statistics regarding death and births were also collected by the Board. A perusal of the records reveals that in spite of all this the Board did not do much work in the field of municipal activities assigned to it. The sanitary condition of the city of Kota was very bad in 1948. Acute bad blood and lack of co-operation and interest among the members were the reasons for such an undesirable state of affairs.

Salient Features

Kota was one of the three states in Rajasthan which did not have municipal legislation. The constitution, powers and functions of the municipalities in the State of Kota were governed by the municipal rules passed from time to time by the Mahk-makhas or by the Ajmer Merwara Municipal Regulations.¹⁴³ Spasmodic efforts were made in 1939, and again in 1946, to enact municipal legislation but failed because the State authorities showed no interest. There was no uniformity in the constitutions, powers and functions of the municipalities in the State.

140. *File No. 10/15—Law & Local Self Department, Rajasthan, Udaipur, Year 2005 (V.S.) : Report of the Secretary, Municipal Board, Kota.*

141. *Ibid.*

142. The description of the achievements of the municipalities is based on the Annual Administrative Reports, Kota State, from 1908 to 1944.

143. *File No. 10/15—Law and Local Self Department, Rajasthan, Udaipur, Year 2005 (V.S.) : Report of the Secretary, Municipal Board, Kota.*

Aklara and Bhimganj municipal Boards consisted of nominated members and had District Magistrates as their Chairmen, while Kota and Baran municipalities had a majority of elected members and were presided over by elected chairmen. Kota and Baran municipalities enjoyed a large number of obligatory and optional functions but Aklara and Bhimganj municipalities were required to look after only sanitation and public health. Municipal movement also had not made much progress in the State. Though it was the first State in Rajasthan to introduce elective element yet the constitutions of the Boards were undemocratic even in 1948.

Bundi State

The people of Bundi started demanding the establishment of a municipality in Bundi as early as 1927. In that year a deputation of Bundi citizens called on the Prime Minister of the State and requested him to establish a municipality in Bundi.¹⁴⁴ The pressure of the people's demand forced the State authorities to establish, in 1933, a Municipal Board consisting only of a few nominated members to look after the sanitation and other works of public utility in the City of Bundi.¹⁴⁵ In 1939, Maharaja Ishwar Singh, in order to improve municipal administration in the Bundi, passed the Bundi Municipal Act, 1939. Accordingly, the municipality was composed of 12 members of whom 6 were elected and 6 were nominated by the Durbar. The nominated members included 3 official and 3 non-official members.¹⁴⁶ A person who fulfilled certain prescribed property or other qualifications was eligible to vote in the elections. The president of the Committee was to be an official nominated by the Government.¹⁴⁷ The Board was required to discharge certain municipal functions like lighting the streets, construction, repairs

144. *Administrative Report, Bundi State, 1927-28. Municipalities.*

145. *Administrative Report, Bundi State, 1936-37, p. 30.*

146. *Administrative Report, Bundi State, 1941-42, p. 82.*

147. *Administrative Report, Bundi State, 1938-39, p. 46.*

and maintenance of roads and public places, planting of trees, opening dispensaries, schools, libraries, etc. The Board was empowered to levy taxes, pass bye-laws, and impose fines. The Act was brought into force in 1940.

In 1941, Bundi District Municipal Act was passed, and put into force on October 2, 1942. Municipalities, under the provisions of this Act, were established at Kapren, Patan, Nainawa, Lakheri and Hindoli. Each of these municipalities were composed of 12 members—6 elected and 6 nominated by the Revenue Minister.¹⁴⁸ In the year 1946, the Bundi Board was granted an elected Chairman. Shri Brij Sunder Sharma was elected to this post.¹⁴⁹ In 1946-47, the three nominated official members of the Bundi Board were replaced by 3 non-official nominated members.¹⁵⁰ At the time of merger into the Union of Rajasthan, there were six municipalities in the State of Bundi.¹⁵¹

Achievements

Sanitation and lighting arrangements were looked after by all the municipalities in the State. Besides carrying on sanitation and conservancy and lighting, the Bundi Municipality also undertook the construction of latrines, urinals, side drains and soil-pits. During the years 1944-1946, the Board spent more than five thousand rupees on construction work. Primary education in the town of Bundi had also been under the supervision of the Municipality since 1945. In 1947, there were five primary schools including a Girls' School. Particular attention was paid to educating the Harijans. The Harijan students were provided with books and stationery to be given to them free of charge. The Board also passed bye-laws to manage the affairs of the municipalities in the towns. A few of them were : Bye-law regarding the cesspool tax; Bye-law for fixing fees for temporary

148. *Bundi District Municipal Act, 1942*, Section 3(3).

149. *Administrative Report, Bundi State, 1945-46*, p. 97.

150. *Ibid.*, 1946-47, p. 98.

151. *File No. 10/15—Law & Local Self Government, Rajasthan, Udaipur, Year 2005 V.S. : Report of Chief Executive Officer, Bundi.*

•occupation of streets; and bye-law regarding cattle. The Bundi Municipal Board prepared compost manure and sold it to the Horticulture Department and agricultural farms, etc. Thus, the Bundi Municipality justified its existence by doing commendable work in all fields of its responsibilities.¹⁵²

Jhalawar State

Municipal administration in the State of Jhalawar came into being in the year 1894 when municipalities were established at Chhavani and Jhalarapatan.¹⁵³ These municipalities were to look after the sanitation and lighting of the town and dispose of petty cases of easements. The members of the boards were officials, bankers, traders, and other persons of local influence, nominated by the Government. They received no remuneration.¹⁵⁴ The Dewan was the ex-officio President of the Municipality of Chhavani.¹⁵⁵

This arrangement continued till 1919. In that year on April 15, Maharaja Rana Bhawani Singh, in commemoration of the restoration, by the Government of India, of the hereditary title of Maharaja Rana to the Ruling House of Jhalawar, changed the constitution of the Municipal Board of Chhavani and bestowed municipal rights on the citizens.¹⁵⁶ Persons who fulfilled certain educational and property qualifications were given the right to vote in the elections to the Board.¹⁵⁷ The Board was to compose of 21 elected members. His Highness was to be its President.¹⁵⁸ The Vice-Chairman was to be elected by the members of the Board from amongst themselves. The Municipal Board was given powers to raise finance from taxes levied on vehicles and taxies; from contract of monopoly for the sale of cigarettes and

152. The above description of the achievements of the municipalities is based on the Annual Administrative Reports, Bundi State, from 1936 to 1947.

153. *Administrative Report, Jhalawar State*, for the year 1905, p. 9.

154. *Administrative Report, Jhalawar State*, for the year 1907, p. 7.

155. *Ibid.*

156. *Administrative Report, Jhalawar State*, for the year 1920, p. 33.

157. *Ibid.*

158. *Administrative Report, Jhalawar State*, for the year 1920, p. 34.

biris and from fines, rents and sale of municipal land, etc. Elections to the Chhavani Board were held in the month of October 1919. The Board elected Maharaja Balbhadra Singh as its Vice-President.¹⁵⁹

In the beginning of the Thirties municipalities were established at Bhawanimandi and Gangdhar. A few years later in 1937, municipalities of Jhalarapatan, Gangdhar and Bhawanimandi were put at par with Chhavani municipality. Thus in the year 1937-38, all the four municipalities of Patan, Bhawanimandi, Gangdhar and Brij Nagar (Chhavani) consisted totally of elected members. They had elected Vice-Presidents and Secretaries. The committees were responsible for the sanitation, lighting and other necessary matters which concerned the health and comforts of the citizens of these towns. The committees had the powers to levy octroi duties, road taxes on vehicles and to impose fines for the infringement of municipal laws.¹⁶⁰ In 1939, a municipal committee was established at Dag.¹⁶¹

In 1942, the Maharaja Rana of Jhalawar passed the Jhalawar Municipal Act in order to make better provisions for the organisation and functions of the municipal administration in the State. According to the provisions of this Act, every municipality was to consist of members elected on the basis of restricted franchise and joint electorate. The President and the Vice-President was to be elected by the members from amongst themselves.

The municipality was required to perform wide obligatory and discretionary municipal functions. It was also empowered to levy taxes, make bye-laws and hold and dispose of property. Soon the election rules were framed and assented to by the Maharaja on 29th March, 1943. Franchise was also considerably lowered. Elections to the municipalities in the State were held in the middle of 1943. Municipalities established under the pro-

159. Ibid., 1920, p. 34.

160. *Administrative Report, Jhalawar State, 1937-38*, pp. 50-51.

161. *Administrative Report, Jhalawar State, 1938-39*, p. 52.

visions of the Act of 1942 started functioning in October 1943. In 1948, a few other sources of income, such as bidi-cigarette contracts, road taxes, proceeds from sale of houses and land, radio-licences, land-revenue, mela tax, cess and contract of bones within the municipal area, were assigned to the municipal committees.¹⁶² This improved the financial position of the municipalities in the State.

At the time of merger, there were six municipalities in the State, i.e., at Brijnagar, Jhalarapatan, Bhawanimandi, Pachpahar, Gangdhar and Dag. They were all elected bodies with elected presidents. Sanitation and lighting were looked after by all municipalities. The paving of streets, construction of public parks, roads, drains, urinals were also undertaken by them. They supplied pure drinking water during the melas and fairs and distributed medicines during epidemics.

Salient Features

Municipal administration in the State of Jhalawar could be favourably compared with the municipal administration in any of the British Provinces. The constitution of all the municipalities in the State of Jhalawar was democratic. Though universal adult franchise was not granted, yet the standard of qualifications prescribed for a person to be a voter was much liberal and almost amounted to adult franchise. Financially, they were all well off. They enjoyed better powers in the field of taxation in comparison with municipal boards in other states of Rajasthan. By 1948, the municipal administration in Jhalawar State had certainly entered in an era of bloom and progress.

Main Features

The foregoing study of the growth, powers and functions of the municipal administration in Rajasthan reveals the following facts :—

162. *File No. 10/15—Law & Local Self Department, Rajasthan, Udaipur, Year 2005 V.S. : Report of Chief Executive Officer, Jhalawar State.*

- (i) Urban local self-governing institutions were brought into being in the later part of the 19th century in the States of Jaipur, Alwar, Karauli, Kota, Jodhpur, Bharatpur, Shahpura, Tonk, Dungarpur, Partabgarh, Bikaner, Kishangarh, and Jhalawar, and in the first half of present century in the States of Dholpur, Banswara, Sirohi, Udaipur, Bundi, Jaisalmer and Kushalgarh. Jaipur was the first State to institute a municipality in 1869 and Jaisalmer the last to do so in 1939. Lawa was the only state in Rajasthan where a municipality was not brought into being till 1948, probably for the fact that the size of the state did not merit a municipal institution.
- (ii) Though there existed 142 municipal institutions in Rajasthan yet a large number of them were not municipalities in the true sense of the term since they did not possess the corporate privileges of the local self-government as were enjoyed by the municipalities of Udaipur, Jaipur, Jodhpur, Banswara, Partabgarh, Bikaner, Kota, Jhalawar and Alwar. The position of municipalities in Rajasthan as they existed in 1948, can well be described like that of an oligarchy dependent upon a superior power which might control its action to almost any conceivable extent.
- (iii) A beginning in the municipal administration in all the states was first made with nominated municipalities or town committees. But gradually the constitution of the municipalities was democratised and the nominated element was replaced by the elected one. Election system was gradually introduced in almost all the states. Persons who fulfilled certain prescribed property or educational qualifications were given the right to vote in the elections. However, in Bikaner State women were expressly denied the right either to vote or to contest elections. In 1946, the system of universal adult franchise was introduced in Sirohi

State, although it was given effect to only in the year 1948. In 1948, Jaipur and Jodhpur State authorities also introduced universal adult franchise. Municipal elections in all states, except Dungarpur and Tonk, were held on the basis of joint electorate system. In Dungarpur city and in Tonk State, the elections to the municipalities were held on the basis of separate electorates. In the beginning, communal representation (elected or nominated) was introduced in the States of Jodhpur and Partabgarh, but it was gradually replaced by wardwise elections. In the beginning, all municipal boards had official chairmen but with the passage of time, they had to yield place to the elected ones. In 1948, all city municipalities, except that of Karauli, Dholpur, Kushalgarh, Dungarpur, Jaisalmer, and Shalipura, had elected chairmen. In a few states the Town committees also had elected chairmen. In short, most of the municipalities had acquired democratic character by the end of 1948. However, provision for the representation of women and depressed classes was made nowhere except in Alwar and Udaipur. The day-to-day administration of the municipal boards or committees was carried on by the president of the board or the committee in all states, except in the Partabgarh State where it was carried on by a working committee of 9 members. Provision for the appointment of a secretary existed in the City municipalities of all states.

- (iv) There did not exist any uniformity in the functions of municipalities in the various states of Rajasthan. A few municipalities such as Jodhpur, Jaipur, Bharatpur, Bikaner and Bundi were entrusted with a large number of obligatory and discretionary duties, while others were given only elementary municipal duties. In the same way uniformity in the field of administrative and financial authority was also not present. A few municipalities, like

Jaipur, Jodhpur, Bikaner and Banswara, were given powers to make rules to regulate the conduct of their business; to guide the municipal servants; to make bye-laws for markets and slaughter-houses; to register births, deaths and marriages; to protect water etc.; to make contracts to hold, acquire or dispose of property; to impose taxes on buildings, shops, public amusements, vehicles, animals, etc., to suspend any tax and to impose fine or penalty for not obeying the bye-laws, etc. There were on the other hand some municipalities, like those of Kishangarh, Shahpura, which were not given powers even to impose taxes to meet their financial requirements.

- (v) Growing political consciousness in the subject-people of Rajasthan played a vital role in the progress of municipal administration in Rajasthan. In 1920, the people of Jaisalmer requested their Maharaja to establish a municipality in the city. Their application read: "Your Highness, we are grieved to say that the dirtiness of this city is a blot upon its fair name and the establishment of a municipality is an imperative necessity."¹⁶³ In 1928, the people of Jaipur addressed an open letter to the Viceroy and demanded the establishment of an elected municipality. When the Praja Mandals came into existence in various states, they also put forth the demand for reforms in municipalities, as the Jodhpur Praja Mandal did in 1935 and the Sirohi Praja Mandal in 1947. Similarly, municipal reforms movements were also launched in the states of Alwar and Kishangarh. All this contributed to the progress of municipal administration in Rajasthan.

163. "Leader", March 20, 1920.

• Achievements

Municipal administration in the various defunct States of Rajasthan was in its elementary stage and, therefore, in achievement it was miserably lagging behind the municipalities in British India. Nevertheless, it is desirable to give a brief account of the achievements, however meagre, of the municipalities of various states.

From their very beginning, all municipal institutions were chiefly entrusted with the work of sanitation and conservancy. They discharged this duty satisfactorily as far as their means allowed. They engaged sanitary staff whose strength mostly depended on the area over which the board exercised its jurisdiction. The municipal boards constructed drains, built soak-pits, paved the city streets, repaired and improved the roads and arranged for the sweepers. A few boards constructed public latrines also. Sometimes special staff was recruited to carry on sanitation work. For example, in 1942, the Bikaner Municipal Board organised a conservancy gang of fifteen labourers and one nigranidar for the levelling of uneven places in the city and for making unobstructed passage for water.¹⁶⁴ A few of the municipalities also took over the responsibility of supplying pure drinking water. The Kota Municipality provided water taps to the public in 1926.¹⁶⁵ Sirohi and Jaipur municipalities did the same in the following years. Kishangarh municipality provided water to the public by deepening the wells in 1942.¹⁶⁶

Steps were also taken by a few boards to protect public health. Drugs and medicines were distributed during epidemics. Wells and 'bawaries' were disinfected. The Bikaner municipality maintained a maternity and child-welfare centre at Bikaner.¹⁶⁷ The Banswara Municipal Board established an Ayurvedic Aushdhalaya in the city for the treatment of patients.¹⁶⁸ The Dungar-

164. *Administrative Report, Bikaner State, 1942-43*, p. 124.

165. *Administrative Report, Kota State, 1926-27*, p. 24.

166. *Administrative Report, Kishangarh State, 1939-40*, Municipality.

167. *Administrative Report, Bikaner State, 1946-47*, Municipalities.

168. *Administrative Report, Banswara State, 1937-38*, Municipalities.

pur Municipal Board also, now and then, distributed quinine and snake-bite cures.

Educational activities were also undertaken by a few municipal boards. In 1920, the Banswara municipality opened a Sanskrit Pathshala and a Primary Arabic School.¹⁶⁹ The Municipal Board of Bundi had the charge of primary education from 1945 onwards.¹⁷⁰ It maintained five schools with 18 teachers and 447 students. Special attention was paid by the Board to the education of Harijans.¹⁷¹ The Kota municipality opened a Night School in 1935.¹⁷² The Bikaner Municipal Board was in charge of compulsory primary education and discharged this responsibility with great care and success.

Libraries and reading rooms were also opened and managed by a few municipalities. The Dungarpur Municipal Board managed a fairly big library.¹⁷³ The Municipal Board, Kota, gave an annual grant of Rs. 220 to the Public Library and the Jain Library in the city.¹⁷⁴ In 1939, the Banswara Municipal Board established a Public Library in the city of Banswara.¹⁷⁵ The Municipal Board of Jaipur also did the work of collecting vital statistics and maintained a birth and death register. Slaughter-houses were also maintained and looked after by the municipal boards of Jaipur, Bundi, Alwar, etc. But the condition of these houses was not good. The Kota Municipal Board maintained an orphanage in the city since 1931.¹⁷⁶

A few boards undertook the entertainment activities for public recreation. In 1939, a wireless set was installed in the municipal building of Banswara for the recreation of public.¹⁷⁷

169. *Administrative Report, Banswara State, 1920-21*, p. 17.

170. *Administrative Report, Bundi State, 1942-43*.

171. *Administrative Report, Bundi State, 1945-46*, Municipalities.

172. *Administrative Report, Kota State, 1935-36*, p. 29.

173. *Administrative Report, Bikaner State, 1937-38*, p. 57;
Administrative Report, Bikaner State, 1939-42, Municipalities.
Administrative Report, Bikaner State, 1942-43, p. 22.

174. *Administrative Report, Kota State, 1936-37*, p. 37.

175. *Administrative Report, Banswara State, 1939-40*.

176. *Administrative Report, Kota State, 1931-32*, p. 30.

177. *Administrative Report, Banswara State, 1938-39*.

The Bundi municipality provided a radio set for public use in 1947.¹⁷⁸ Parks and gardens were also constructed and maintained by a few boards. Some boards organised educational exhibitions, e.g., the Jaipur Municipal Board organised a Public Health Exhibition in the year 1945.¹⁷⁹

The Jodhpur Municipal Board discharged judicial functions for a few years. In 1909, the Board was empowered to entertain suits pertaining to the rights of easement. The power was taken away from the Board by the Government of Jodhpur in 1924.¹⁸⁰ The Municipal Boards of Bikaner and Bundi also discharged the elective functions. These boards elected representatives to their legislative assemblies.

Limitations

The municipal administration could not make much headway in the princely states of Rajasthan for the following reasons :

Firstly, there was, in the members themselves, a lack of active interest in the affairs of the municipalities. Members were in the habit of not attending the meetings. Several times, meetings had to be adjourned for want of quorum. In the State of Kota, 78 meetings of Baran Municipal Board were called during 1929-1934, and out of them 24 had to be adjourned.¹⁸¹ In between 1940-43, one hundred and thirty-one meetings of the Municipal Board, Jodhpur, were called but 42 had to be adjourned for want of quorum.¹⁸² Members frequently absented themselves from the meetings and the average percentage of attendance in the Alwar Municipal Board was 58% in the year 1938-39 and 64% in the year 1943-44.¹⁸³

178. File No. 10/15—Law and Local Self Department, Udaipur, Year 2005, V.S.

179. *Administrative Report, Jaipur State, 1943-44*, Municipality.

180. *Administrative Report, Jodhpur State, 1925-26*, p. 30.

181. *Administrative Report, Kota State, 1929-30; 1930-31; 1931-32; 1932-33; 1933-34*; Chapter on Municipalities.

182. *Administrative Report, Jodhpur State, 1940-41; 1941-42; and 1942-43*.

183. *Administrative Report, Alwar State, 1938-39; 1943-44*.

Secondly, there was too much government interference in the day-to-day administrative work of the municipality. This gave rise to an attitude of indifference on the part of members and chairman of the boards. The Chairman of the Municipal Board, Alwar, had to resign in 1946 as he found it difficult to carry on his day-to-day administration on account of too much interference from above.¹⁸⁴ Shri Jai Narayan Vyas also resigned from the Chairmanship of Municipal Board, Jodhpur, in 1941, for the same reason.

Thirdly, the municipal boards did not have sufficient source of income to meet their expenditure. Only a few municipalities enjoyed a limited power to levy taxes. The boards were to depend on grants-in-aid from the government. But this dependence impaired their efficiency and paralysed their initiative. Thus the inadequate sources of income was also responsible for this state of affairs. Wherever there was provision for tapping certain sources of revenue, the members showed an aversion towards imposing any new taxes because by doing so they feared to lose the support of their voters.¹⁸⁵

Fourthly, the very organisation of the municipalities was defective. In most cases the members were nominated. The franchise was knowingly kept limited wherever elective element was provided. The boards, as such, could never represent the true wishes of the people and were not the mirror of true public opinion. Moreover, the government used to interfere with the elections. In 1938, when the Jaipur Raj Praja Mandal decided to participate in the elections to the city municipality, the State authorities

184. *File No. 50—Municipal Boards, Alwar, Tijara, Rajgarh*: Confidential letter No. M.B./dated July 1946 (resignation of the President of Alwar Municipal Board, Addressed to Army Minister).

185. *Administrative Report, Partabgarh State, 1941*, p. 26.

directed the government servants not to vote for the Praja Mandal candidates.¹⁸⁶ In Mewar, the State authorities refused to remove ban from the Mewar Praja Mandal and thus prevented it from contesting elections in 1943.¹⁸⁷

Fifthly, there was a terrible dearth of leaders. Intelligent and capable persons did not come forward to shoulder the responsibility of managing the affairs of municipalities. The State authorities in Kota granted the privilege of an elected Chairman in the year 1921, but had to withdraw the privilege because the elected Chairman could not work properly. The members also, sometimes, persisted in their demand for a nominated chairman. For example, the members of the Municipal Board Kota passed a resolution urging the Government to appoint an official Chairman. Moreover, no candidates came forward to contest elections. In the year 1926, three by-elections to the Municipal Board of Kota were held but there was a ward from which not a single candidate submitted his nomination form for the membership.¹⁸⁸ In 1941, out of 15 elected seats only 2 were contested in Partabgarh. This attitude of aversion on the part of the people was responsible for the slow growth of municipal movement in the States of Rajasthan.

Sixthly, the people themselves opposed the establishment of municipal boards even when the rulers took initiative because they feared an increase in taxes. In 1922, the people of Ratangarh (Bikaner State) requested the Maharaja not to accord his assent to the Municipal Bill, then under consideration of the Legislative

186. *Jaspur Raj Praja Mandal Report*, 1938-1940 (March), p. 3.

187. R.C. Vyas (Editor) : *Op. Cit.*, p. 9.

188. *Administrative Report, Kota State*, 1926-27, p. 24.

Assembly.¹⁸⁹ In 1936, the people of Sirohi refused to have an elected municipal board only for fear of an increase in taxation. Besides these factors, the illiteracy, ignorance and poverty of the masses was also responsible for the slow progress of municipal administration in Rajasthan. The lack of character, integrity, intelligence and initiative in elected chairmen as well as members was certainly a stumbling block in this direction. However, the fault was not entirely of the people. Centuries of despotic rule had smothered all their hopes, energy, will and vitality. Lacking in these essentials they, naturally, could not strive much for the establishment of municipal administration in Rajasthan.

In spite of all these drawbacks, the fact remains that a right start was made in the direction of urban local self-government. Municipalities are the roots of democracy. The success of democracy depends on the proper working of municipal government and, as such, the training the people had received in the working of municipal government in different states of Rajasthan was expected to help them in shouldering greater responsibilities of self-government which they were called upon to shoulder with the rest of India on the emergence of Rajasthan as a political entity joining as integral part of the country in subsequent years.

189. *File No. 125—Bikaner Municipal Bill : Representation of people of Ratangarh 26-10-1922*, p. 184.

CHAPTER NINE

The Village Panchayats

Introduction

In their modern form, the village panchayats began to be established in Rajasthan as late as 1925. In the year, Maharaja Kisan Singh of Bharatpur passed the Bharatpur State Panchayat Act, 1925 and Maharao Uned Singh of Kota passed the Kota State Panchayat Regulation of 1925. Of these the latter regulation alone was enforced. In 1928, the Bikaner State Village Panchayat Act, and the Banswara State Panchayat Act were enacted of which only the former was put into force. In 1937, the Government of India, in the wake of provincial autonomy, brought some pressure on the rulers to set up some sort of democratic institutions. The directives had its stimulating effect and the rulers of a few states of Rajasthan enacted legislations concerning Panchayats and local self-governing institutions, *e.g.*, Jaipur Panchayat Act, 1937, Marwar Panchayat Act of 1938, Kishangarh Village Panchayat Rules, 1938, Mewar Village Panchayat Act of 1938, Bundi State Village Panchayat Act, 1939, Partabgarh Village Panchayat Act, 1939, Shahpura State Village Panchayat Act, 1939, Tonk State Panchayat Rules, 1939, and Sirohi State Panchayat Act, 1941.

These legislations were later on amended in the light of experience, and then new Panchayat Acts were passed in the States of Udaipur, Jodhpur, Jaipur and Shahpura in the years that followed. In 1946, the State of Jhalawar and in 1947, the State of Banswara enacted legislations for the establishment of panchayats in their respective States. In 1947, there existed pan-

chayat legislations in the States of Banswara, Bharatpur, Bikaner, Bundi, Jaipur, Jodhpur, Jhalawar, Karauli, Kishangarh, Kota, Partabgarh, Shahpura, Sirohi, Udaipur and Tonk. The States of Alwar, Dholpur, Dungarpur, Jaisalmer, Kushalgarh and Lawa were without any panchayat legislations. In 1948, the popular government of the Union of Rajasthan (Udaipur) passed and promulgated the Panchayat Raj Ordinance. The following pages present a brief review of the growth, powers and functions of the panchayat movement in the defunct States and in the Union of Rajasthan, Udaipur.

WESTERN DIVISION

Bikaner State

On September 12, 1912, Maharaja Ganga Singh, in his Silver Jubilee Speech, announced his intension to institute village panchayats in the Bikaner State. Spasmodic efforts were made to enact panahayat legislation in the following years to give effect to the wishes of the Maharaja, but nothing substantial took place till 1928. In that year the Bikaner State Village Panchayat Act, 1928, was passed.¹ Accordingly, a panchayat, composed of 5 to 9 nominated members, was to be established for a village having a population of one thousand.² The members were to be nominated by the Nazims after ascertaining the wishes of the inhabitants of the village by local enquiry.³ Women, undischarged insolvents and government servants were not eligible for nomination.⁴ The Chaudhari of the village was to be the Sarpanch.⁵ The Panchayats were given twofold functions, administrative and judicial. They were empowered to take cognizance of petty offences, and entertain civil suits up to the value of Rs. 50⁶ and impose fine up to Rs. 10⁷ and with the

1. *File No. 307—Bikaner Village Panchayat Bill* (Legislative Department), p. 312 ;

"*Bikaner Bulletin*", November 1947, p. 10.

2. *Bikaner State Village Panchayat Act, 1928*, Section 4.

3. *Bikaner State Village Panchayat Act, 1928*, Section 6.

4. *Ibid.*, Section 5.

5. *Ibid.*, Section 6.

6. *Ibid.*, Sections 14 & 19.

7. *Ibid.*, Section 22.

previous sanction of the government, to levy a cess not exceeding six pies per rupee of the land revenue.⁸

A critical review of the Panchayat Act of 1928, reveals that it suffered from a few inherent defects, such as the absence of elected element and the lack of authority to raise finance. In spite of these defects, the Act was of marked importance as it provided the villagers with an opportunity to settle their disputes and manage local affairs themselves. The Revenue Department of the State was entrusted with the work of establishing panchayats under the provisions of the Act of 1928. Under the supervision of the Revenue Department 51 Panchayats were established in 1929.⁹ These panchayats continued to function in the years that followed.

In the beginning of 1945, Maharaja Shadul Singh amended the Panchayat Act of 1928.¹⁰ Accordingly the single village panchayat system was replaced by a group panchayat* system.¹¹ A panchayat was to be established for a village or a group of villages having a population of 500 or more.¹² In February 1945, a Rural Reconstruction Department was set up and panchayat work was put in its charge.¹³ Forty-seven new panchayats were established in the year 1945, thus bringing the total to 98.¹⁴ At the time of the integration of the States of Rajasthan, the number of panchayats in the State of Bikaner was 264, which covered 390 villages.¹⁵

Achievements

In the State of Bikaner village panchayats performed both judicial and municipal functions. In the beginning they mainly

8. Ibid., Section 61.

9. *Administrative Report, Bikaner State, 1929-30, Panchayats.*

10. *Administrative Report, Bikaner State, 1944-45, Panchayats.*

* Group Panchayats System : According to this system a panchayat circle is created by grouping two or more villages together.

11. *Administrative Report, Bikaner State, 1944-45, Panchayats.*

12. *Administrative Report, Bikaner State, 1944-45, Panchayats.*

13. "*Bikaner Bulletin*", January-February 1946, p. 27.

14. Ibid.

15. *File : Copies of Various Notes and Annual Reports since 1949, Community Development & Panchayat Department, Jaipur.*

confined themselves to deciding petty judicial cases and took little interest in the civic work. Gradually their interest in the municipal affairs also developed. Sanitation and lighting arrangements were looked after by all the panchayats. A few of the panchayats constructed village cart-tracks, Panchayat Ghars, etc. They opened libraries and arranged supply of pure drinking water. A few panchayats had their own pedigree bulls and camels. In 1946-47, the State authorities provided a sum of Rs. 15 lacs to help the villages in removing their difficulties of drinking water. They decided criminal and civil cases also. During the years 1944 to 1947, the panchayats decided 451 criminal and 567 civil cases. A few panchayats took steps to modernize their villages and the government appointed one sub-overseer to help the panchayats in this direction.¹⁶ The panchayats could not do much municipal work for want of finance and the movement was still in its infancy when the Union of Rajasthan came into being.

Jodhpur State

The panchayat movement was initiated in the State of Jodhpur in the year 1938 when the Marwar Panchayat Act was passed.¹⁷ It provided for the establishment of a panchayat for a village or a group of villages having a population of 500 or more.¹⁸ The members of the panchayat were to be nominated by the Hakim of the District.¹⁹ The panchayats were to have the powers to try civil and criminal cases.²⁰ They were also required to discharge a few administrative functions like the cleaning of village thoroughfares, removal of rubbish heaps from the village, and supply of pure water.²¹

16. The description of the achievements of the Panchayats is based on the Annual Administrative Reports, Bikaner State, from 1930 to 1947, and on the official records available at the Director of Archives, Government of Rajasthan, Bikaner.

17. *Marwar Village Panchayat Act, 1938* ;
Administrative Report, Jodhpur State, 1945-46, pp. 112.

18. *Marwar Village Panchayat Act, 1938*, p. 1.

19. *Ibid.*, p. 1.

20. *Ibid.*, Sections 14 to 18, 19 to 28, pp. 3-4.

21. *Administrative Report, Jodhpur State, 1940-41*, p. 137.

In 1938, certain amendments were made in the Act.²² Accordingly, the panchayats were to be established in Khalsa and Jagir villages having a population of 1,000 or more and where no municipality existed.²³ It was also provided in an Amendment Act that panchayats could be established in other villages with a population of less than 1,000 persons if the inhabitants expressed such a desire in writing to the government.²⁴ In a Jagir village the Sarpanch was to be either the Jagirdar himself or a person nominated by him in that capacity.²⁵ Panchayats were to have only civil jurisdiction and powers relating to criminal jurisdiction as contained in the Act of 1938 (Panchayats) were deleted.²⁶

The panchayats began to be established in 1939, and within one year their number reached 58 in the Khalsa villages.²⁷ The President and the Secretary of the Representative Advisory Assembly took keen interest in the organisation of panchayats and visited several villages.²⁸ In this connection they organised meetings of Jagirdars and explained to them the benefits of panchayat institutions. As a result, the number of panchayats in Khalsa villages rose to 77 and in Jagir villages, where no panchayats existed in the year 1941-42, 70 panchayats came into being.

On January 1, 1946, a new Marwar Village Panchayat Act was promulgated.²⁹ Accordingly, a panchayat was to consist of five or at the most nine members appointed by the Director of Local Bodies.³⁰ The panchayats were to have a Sarpanch and a Naib-Sarpanch.³¹ The Naib-Sarpanch was to be elected by the

22. *Village Panchayats & Advisory Boards in Marwar*, pp. 1-2.

23. *Ibid.*, p. 2.

24. *Ibid.*

25. *Ibid.*

26. *Ibid.*, p. 2.

27. *Administrative Report, Jodhpur State, 1939-40*, p. 179.

28. *Administrative Report, Jodhpur State, 1942-43*, p. 67.

29. *Administrative Report, Jodhpur State, 1945-46*, p. 112.

30. *Marwar Village Panchayat Act, 1945*, Section 5, p. 2.

31. *Ibid.*

members of the panchayat.³² In Khalsa villages the Hawaldar, appointed by the Land Revenue Department, was to be the Sarpanch.³³ In Jagir villages the Sarpanch was to be a person residing in the panchayat area and nominated by the Jagirdar.³⁴ It was provided in the Act that at least two of the panchas should be able to read and write Hindi.³⁵ Persons below 25 years of age, a female and an undischarged insolvent³⁶ were not eligible for becoming members of a panchayat.

The panchayats were given two-fold duties, administrative and judicial. In the judicial field the panchayats were empowered to deal with a civil suit not exceeding the value of Rs. 50 and to take cognizance of petty criminal offences. They were empowered to impose fine up to Rs. 37.³⁷ In the field of administration the panchayats were entrusted with the work of looking after the village sanitation, water supply, maintenance of thoroughfares, and the improvement of agriculture and agricultural stock. They were also required to perform the work of public utility and to manage and control the religious and charitable endowments. They could levy taxes on money-lending, sale of commodities, vehicles, animals, marriages, adoptions and feasts, etc.³⁸

A perusal of the Marwar State Village Panchayat Act, 1945, reveals that the Act was an improvement on the amended Village Panchayat Act of 1938, in two ways. Firstly, the new Act enlarged the functions and powers of the panchayats. They were given a large number of obligatory and discretionary functions. They were given powers to take cognizance of petty criminal cases. Secondly, the provision for an elected Naib-Sarpanch was made. In spite of these improvements the Act suffered from a few such defects as the absence of an elected Sarpanch. Moreover,

32. Ibid.,

33. Ibid., Section 7(2), p. 3.

34. Ibid., Section 7(2), p. 3.

35. *Marwar Village Panchayat Act, 1945*, p. 16.

36. Ibid. : Chapter on qualification and disqualification for voters, pp. 18-19.

37. Ibid. : Chapter on power and functions of village panchayats.

38. Ibid.

the constitution of the panchayats remained undemocratic to the extent that women were not eligible for nomination to the panchayats.

In 1948, the Popular Interim Government introduced a few radical changes both in the organisation and finance of the panchayats.³⁹ The Government transferred three important cesses, viz., Kharda, Malba and Maps, to the panchayats. The system of nominating the Sarpanch and the panchas was abolished and elections on the basis of adult franchise were introduced. All these reforms set the panchayat institutions on the right track of progress. At the time of merger into the Union of Rajasthan there were 250 panchayats in the State which covered 307 villages.⁴⁰

Achievements ,

Village panchayats in Jodhpur State rendered some valuable services to the rural public.⁴¹ Panchayats attended to the supply of pure water from public tanks and wells, the cleaning of village thoroughfares and the removal of rubbish heaps from the Abadi. A few panchayats constructed and repaired drains, latrines, streets, tanks and wells. Steps were also taken for the plantation and preservation of trees and removal of encroachments and widening of village paths. A few panchayats purchased and maintained bulls for the improvement of cattle breeding. A good number of judicial suits were also decided by the panchayats, during the years 1946-48. The work of the panchayats suffered for want of finance in many cases and, as such, they could not make much progress.

EASTERN DIVISION

Jaipur State

The first step in the direction of establishing village panchayat in Jaipur State was taken in the year 1937. In November

39. *File—Copies of Various Notes and Annual Reports, Community Development & Panchayat Department, Jaipur*, p. 3.

40. *Ibid.* p. 21.

41. The description of the achievements of the panchayats is based on the Annual Administrative Reports, Jodhpur State, from 1939 to 1946.

1937, Maharaja Man Singh II passed the Jaipur State Village Panchayat Act with the object to foster a spirit of public service and to avoid unnecessary litigation.⁴² The Act provided for a panchayat consisting of six to eight panchas for a village having a population of 1,000 to 5,000. The panchas were to be nominated by the District Magistrate and the Sarpanch was to be nominated by the Revenue Commissioner from amongst the panchas. The panchayats were to have administrative and judicial powers. In the judicial field the panchayats were empowered to try civil suits up to the value of Rs. 25.⁴³ The panchayats were given power to impose fine up to Rs. 10.⁴⁴

The Act was a landmark in the history of panchayat legislation in the State as it was the first step in the direction of the establishment of village local self-governing institutions in the State. But the Act suffered from a few inherent defects, like the absence of elective element, provision for nominated Sarpanch, limited functions and no substantial financial powers. Soon the provisions of the Act were given effect and 76 panchayats were established.

The Jaipur Constitutional Committee (1943) considered the question of reforms in the panchayats and recommended that a scheme of local self-government be evolved and panchayats be established for each village or a group of villages with powers and resources to manage local affairs and with democratic constitution.⁴⁵ The Committee recommended that the panchayats, each consisting of 5 to 9 members elected on the basis of a very low and, if possible adult franchise, be established. The chairmen of the panchayats were to be nominated in the first instance, but the right of election was to be granted as soon as the pan-

42. *Administrative Report, Jaipur State, 1937-38*, p. 61.

43. *Constitutional Reforms in Jaipur, Report of the Committee on Constitutional Reforms, 1943* :

Administrative Report, Jaipur State, 1938-39, p. 11.

44. *Constitutional Reforms in Jaipur, Report of the Committee on Constitutional Reforms, 1943* :

Administrative Report, Jaipur State, 1938-39, p. 11.

45. *Constitutional Reforms in Jaipur, Report of the Committee on Constitutional Reforms, 1943*.

chayats showed themselves competent enough to exercise that power.⁴⁶

Soon a new panchayat act, the Jaipur Village Panchayat Act, 1944, was passed (on August 22), and promulgated on August 29, 1944.⁴⁷ The Act provided for a panchayat consisting of 7 to 12 fully or partly elected and fully or partly nominated members for a Khalsa village having a population of 1,000 or more and with a population of 2,000 or more in non-Khalsa villages.⁴⁸ Every male person of 21 years of age, who resided in the village panchayat circle, was to be eligible for voting in the elections to the panchayats.⁴⁹ The Sarpanch was to be either nominated by the Dy. Commissioner or to be elected if the government so directed.⁵⁰ Every member of a panchayat was to hold office for 3 years, which could be extended by the Dy. Commissioner for one year.⁵¹ Decisions were to be taken by the majority vote and in a tie, the Sarpanch was given the power of casting vote.⁵²

The panchayats were to have a large number of administrative and judicial duties. In the judicial field the panchayats were given the power to try civil suits up to the value of Rs. 25.⁵³ In the administrative field the panchayats were to have wide obligatory, discretionary and delegated functions to perform. The panchayats were also empowered to levy taxes, obligatory as well as optional. Taxes on homes, shops, places of trade or business and vacant sites in the panchayat circles were obligatory while the other taxes could be imposed with the previous sanction of the government.⁵⁴

The Act of 1944 was a marked improvement on the Act of

46. Ibid.

47. *Administrative Report, Jaipur State, 1945-46, Panchayats.*

48. *Jaipur Village Panchayat Act, 1944, p. 2.*

49. Ibid.

50. Ibid.

51. Ibid.

52. *The Jaipur Village Panchayat Act, 1944.*

53. Ibid.

54. Ibid.

1937, as far as it provided for the elective element in the panchayats, the enlarged administrative and judicial functions and the powers to levy taxes. But the Act suffered from a few shortcomings, too. Firstly, the panchayats were given powers to try civil cases but the power to take cognizance of petty cases was not granted. Secondly, the nominated element was retained in the panchayats in spite of the recommendations of the Reforms Committee. Moreover, women were not given the right to vote in the elections to the panchayats.⁵⁵ Thirdly, the Nazims and other state officials were given much authority to interfere in the day-to-day work of the panchayats.⁵⁶ In spite of all these shortcomings the Act of 1944 was a forward step to put the panchayats on the right track in the State of Jaipur. The new Act was enforced in 1945 with the result that the existing panchayats were reorganised and a few new panchayats were established.

In 1948, a new Jaipur Village Panchayat Act framed on the model of the United Provinces Village Panchayat Raj Act, was passed by the Jaipur Legislative Council.⁵⁷ Accordingly, every village was to have a 'Gram Sabha' of all adults of the area for which the panchayat was to be established.⁵⁸ Every 'Gram Sabha' was to have an executive committee to be called 'The Gaon Panchayat'. The term of the members of the panchayats was to be 3 years. One-third of the members were to retire every year. Elections to the panchayats were to be held on the basis of adult franchise. Provision for the establishment of an Adalti Panchayat⁵⁹ was also made.

The Act of 1948 was a marked improvement on the previous Act for two reasons. Firstly, it provided for a gram panchayat elected on the basis of adult franchise. Secondly, the adminis-

55. Ibid., Section 9.

56. Ibid., Section 70.

57. "The Government of Jaipur Gazette," 15-3-1948 ;
File—Copies of Various Notes and Annual Reports since 1949, Community Development and Panchayat Department, Jaipur.

58. The Jaipur Panchayat Act (published in "The Government of Jaipur Gazette", 15-3-1948).

59. Adalti Panchayat : a panchayat performing judicial functions corresponding to the modern 'Nyaya Pachayats' in Rajasthan.

trative and judicial functions were separated and entrusted to two different institutions, viz., the 'Adalti Panchayat', and the 'Gaon Panchayat'. Soon the state authorities decided to merge the State of Jaipur into the Union of Rajasthan and the Act of 1948, as such, was not implemented. In 1949, the number of panchayats actually functioning in the State at the time of merger was 319 covering equal number of villages.⁶⁰

Achievements

Panchayat movement in Jaipur State was in its elementary state even in 1948. The village panchayats could not achieve much in the field of activities assigned to them.⁶¹ Almost all village institutions looked after the sanitation and lighting arrangements but they were not satisfactory in many cases. Construction of village rastas and village panchayatghars was also undertaken by a few panchayats. In 1947, two village panchayats had panchayatghars constructed at government expense; one panchayat maintained a radio-set. A few panchayats had undertaken the work of growing fuel wood in their jurisdiction. In between 1946 and 1948 a few civil suits pertaining to petty cases were also decided by the panchayats. A few panchayats, viz., Govindgarh and Bhagwatgarh, did good work as the Sarpanchas of these panchayats were literate.

Kishangarh State

In 1937, Kishangarh State authorities established 16 panchayat boards, each consisting of all nominated members, to deal with certain civil cases,⁶² up to the value of Rs. 10.⁶³ In 1938, the Government passed the Kishangarh State Panchayat Board

60. *File—Copies of Various Notes and Annual Reports*: since 1940, Community Development & Panchayat Department, Jaipur, p. 21.

61. The description of the achievements of the panchayats is based on the Annual Administrative Reports, Jaipur State, from 1938 to 1948 and on the personal investigation of the Author.

62. *Administrative Report, Kishangarh State, 1937-38—Panchayat Boards*.

63. *Ibid.*

Rules.⁶⁴ The Rules provided for the establishment of a Panchayat Board for a village or a group of villages.⁶⁵ The members of the Board and the Sarpanch were to be nominated.⁶⁶ The Board was also given judicial powers, civil as well as criminal.⁶⁷ The existing Boards were reconstituted and, in all, 18 Panchayat Boards were established.⁶⁸ These Boards continued to function till the merger of the State into the Union of Rajasthan.⁶⁹

Tonk State

In December 1939, His Highness the Nawab of Tonk sanctioned the State Panchayat Rules.⁷⁰ Accordingly, a panchayat consisting of 5 elected members, was to be constituted for every village or a group of villages having a population of 2,000 or more.⁷¹ The members of a panchayat were to elect as their Sarpanch a person who could read or write Urdu.⁷² The panchayats were given judicial and administrative functions. In the judicial field they were to have powers to try certain civil suits up to value of Rs. 10 and take cognizance of criminal cases of theft, mischief (in which the property involved did not exceed Rs. 5), and ordinary cases of assault and simple hurt under Indian Penal Code, and offences under the Cattle Trespass Act.⁷³ In the field of administration the panchayats were required to deal with matters relating to rural uplift, village sanitation, village tracks, water supply, drains, etc.⁷⁴

The Act had two bright features. One was the provision for elected panchayats having elected sarpanchas; another was the adoption of a group panchayat system. In the year 1940, ninety-nine village panchayats were established in the State.⁷⁵

64. *Administrative Report, Kishangarh State, 1938-39*,—Panchayat Boards.

65. *Ibid.*

66. *Ibid.*

67. *Ibid.*

68. *Ibid.*

69. Shri Purshotam Lal in a talk with the Author at Kishangarh on January 2, 1964.

70. *Administrative Report, Tonk State, 1940-41*, p. 56.

71. *Ibid.*

72. *Ibid.*

73. *Ibid.*

74. *Ibid.*

75. *Ibid.*

They continued to function till the merger of the State into the Union of Rajasthan.⁷⁶ The lack of financial resources and good workers accounted for their scanty progress.

Bharatpur State

In 1925, the Maharaja enacted a village Panchayat Act with the 'aim to associate the people with the administration of the State.'⁷⁷ Accordingly, a panchayat, consisting of five to seven members with one of them as the Sarpanch was to be established for a village or a group of villages having a population of 1,000 or more.⁷⁸ The members were to be nominated by the Judicial Member of the State Council for three years.⁷⁹ The panchayats were to have twofold functions, administrative and judicial. They were empowered to take cognizance of petty criminal offences and try civil cases up to the value of Rs. 25.⁸⁰ The panchayats were to have power to impose fine up to Rs. 10.⁸¹ The above Act could not be enforced owing to the autocratic policies of Mr. Makenzie, the British Dewan.

In 1938, the State authorities enacted a new panchayat legislation—The Bharatpur State Village Panchayat Act.⁸² The new Act differed from the previous one in one respect. It gave only municipal duties to the panchayats and deprived them of their judicial powers.⁸³ The Act of 1938 was put into force in 1943.⁸⁴ About 725 panchayats were established.⁸⁵ These panchayats could not function satisfactorily due to inadequate financial resources and undemocratic organisation. Hence

76. File No. 10/15—*Law and Local Self Department, Rajasthan, Udaipur*, Year 2005, V.S.: Report of the Collector, Tonk, 10-9-1948.

77. *The Bharatpur State Village Panchayat Act*, 1925, p. 1.

78. *Ibid.*, Section 5.

79. *Ibid.*

80. *Ibid.*, Sections 10, 14, 19.

81. *Ibid.*, Section 21.

82. *The Bharatpur Village Panchayat Act (Delhi Panchayat Act, Bharatpur No. 2)*, 1933, p. 1.

83. *Ibid.*

84. *Administrative Report, Bharatpur State, 1943-44, Panchayats*.

85. *Ibid.*

the Bharatpur State Village Panchayat Act No. I, 1944, was passed by Maharaja Brijendra Singh with the object to remedy the defects of the Act of 1933, and to entrust the people of the village with the task of settling local disputes.⁸⁶

According to this Act a panchayat was to be constituted for each village or a group of villages. It was to consist of the elected panchas, the Jaildar, if any, residing in the panchayat area, the village Lambardar or the head Lambardar and the nominated representative of a community which did not have an elected representative in the panchayat.⁸⁷ The Jaildar was to be the Sarpanch of the panchayat.⁸⁸ But if there was no Jaildar in the panchayat area, the Lambardar, if literate, was to be the Sarpanch. In case the Lambardar was also illiterate, the Sarpanch was to be elected by the members of the panchayat.⁸⁹ Cases were to be decided by a majority of votes and in case of a tie the Sarpanch was to have the casting vote.⁹⁰ The panchayat was to have judicial and administrative duties. They were to have powers to try civil cases up to the value of Rs. 25 and take cognizance of petty criminal cases.⁹¹ In the field of administration, the panchayats were to perform duties relating to sanitation, lighting, water supply, agriculture, etc.⁹² The panchayats were empowered to impose fine up to Rs. 10.⁹³

The Act of 1944 was a marked improvement on the Act of 1933, for three reasons. Firstly, the elected element was provided in panchayats. Secondly, the scope of panchayats was considerably enlarged. Thirdly, in certain circumstances provisions for an elected Sarpanch was also made. To give effect to

86. *The Bharatpur State Village Panchayat Act No. 1 of 1944*, p. 1.

87. *Ibid.*, Sections 4 and 5, p. 2.

88. *Ibid.*, Section 6, p. 2.

89. *Ibid.*, Section 6, p. 2.

90. *Ibid.*, Section 8, p. 2.

91. *Ibid.*, Sections 11 and 12, pp. 4-5.

92. *Ibid.*, Section 48, pp. 11-12.

93. *Ibid.*, Section 50, p. 12.

the provisions of the Act of 1944, the panchayats were reconstituted and 682 panchayats were established in 1945.⁹⁴

At the time of the merger of the Matsya Union into Greater Rajasthan the number of panchayats in the Bharatpur unit of Matsya was only 507 covering 512 villages. It was a marked decline in comparison with the number of panchayats in 1945, which figured 682.⁹⁵ The lack of educated persons to carry on the work of panchayats and the people's apathy towards the panchayats were responsible for the decline in the number of panchayats in the State.

Achievements

Village panchayats looked after the sanitation and lighting arrangements in their jurisdiction. For sanitation a few panchayats engaged separate establishment for scavenging, while in others, the work was done by sweepers individually. A good number of village panchayats took steps to fill up insanitary pits and to remove manure heaps which were the source of public nuisance. A few village panchayats took steps to improve tanks and wells. The government provided Rs. 10,000 as grant-in-aid to the village panchayats for improvement of water supply in the villages, but they could utilise only Rs. 5,326/15/- as the building material was not available.⁹⁶

Kota State

On May 12, 1925, Maharawal Umed Singh passed the Kota Village Panchayat Regulation to help the people to settle their disputes within the village itself.⁹⁷ Accordingly, a panchayat, consisting of five to seven members, was to be established for a

94. *Administrative Report, Bharatpur State, 1945-46*, p. 39.

95. *File—Copies of Various Notes and Annual Reports* (Community Development & Panchayat Department, Jaipur), 1949, p. 21.

96. The description of the panchayats is based on the *Annual Administrative Report, Bharatpur State*, from 1925 to 1946, and on the personal investigation of the Author.

97. *The Village Panchayat Rules, Kota State, 1925*, p. 1.

village having a population of 1,000 or more.⁹⁸ The members were to be elected for 3 years by the adult male members of the village or of the panchayat circle.⁹⁹ A person who was of 21 years of age and fulfilled prescribed qualifications was eligible to become a member of the panchayat.¹⁰⁰ Decisions were to be taken by majority and in case of a tie the Sarpanch was to have the casting vote.¹⁰¹ The village panchayats were to perform only judicial functions, both civil and criminal. The panchayats were empowered to impose fine up to Rs. 25.¹⁰²

The Kota Raj Panchayat Regulation was of great significance in the history of panchayat legislation in Rajasthan for two reasons. Firstly, it provided for a panchayat elected by the adult males of the village or villages. Secondly, it provided for an elected Sarpanch after the expiry of the stipulated period. But the regulation suffered from a serious defect as the village panchayats were not given responsibilities in the municipal field.

In pursuance of the Regulation of 1925, forty-eight village panchayats were established.¹⁰³ Two more panchayats were established in 1926.¹⁰⁴ In 1928, the power of panchayat Sangod to try civil suits was raised to Rs. 20 due to its good work.¹⁰⁵ However, the panchayat movement in the State of Kota could not make much headway in the year that followed. The village panchayats could not gain popularity as the work performed by them was not up to the mark.¹⁰⁶ The panchas, being illiterate or inadequately educated, could not work efficiently.¹⁰⁷ Selfish and intriguing nature of the panchas created obstacles in the work of the panchayats. All these were responsible for the decline of the panchayat movement in the State. As the years

98. *Ibid.*, Sections 3, 4, 5, pp. 1-2.

99. *Ibid.*, Sections 13-14, p. 4.

100. *Ibid.*, Section 11, p. 3.

101. *Ibid.*, Section 21, p. 5.

102. *Ibid.*, Sections 25, 26, 27, pp. 5-6.

103. *Administrative Report, Kota State, 1927-28*, p. 23.

104. *Administrative Report, Kota State, 1927-28*, p. 23.

105. *Administrative Report, Kota State, 1928-29*, p. 36.

106. *Administrative Report, Kota State, 1930-31*, p. 29.

107. *Administrative Report, Kota State, 1932-33*, p. 26.

passed by a good number of panchayats ceased to function,¹⁰⁸ with the result that in the beginning of 1948, there did not exist any single panchayat in Kota State.¹⁰⁹

Bundi State

The Durbar of Bundi passed a panchayat Act in 1939 with the object 'to associate the people with the administration of civil and criminal justice and also to effect improvements in the sanitation and other concerns of villages.'¹¹⁰ Accordingly, a panchayat consisting of 5 to 7 nominated panchas was to be established for a village or a group of villages.¹¹¹ These panchayats were to have judicial and administrative duties to perform. In the judicial field, they were empowered to try civil suits up to the value of Rs. 25 and could be granted special powers to entertain suits up to the value of Rs. 50 and to take cognizance of a few petty criminal offences.¹¹² They were empowered to impose fine up to Rs. 20.¹¹³ In the administrative field they were to look after the construction, maintenance and improvement of public paths and drains, the improvement of agriculture and agricultural stock, the planting and preservation of trees, etc.¹¹⁴

To give effect to the provisions of the Act a few panchayats were established in the year 1940.¹¹⁵ However, when the panchayat movement was only in its primitive stage the State merged itself into the Union of Rajasthan.¹¹⁶

Jhalawar State

Steps in the direction of instituting panchayats in the State

108. *Administrative Report, Kota State, 1939-40, Panchayats.*

109. *Administrative Report, Union of Rajasthan, Jaipur, 1950-51, Panchayats.*

110. *The Bundi State Village Panchayat Act of 1939, p. 1.*

111. *Ibid.*, Sections 4 and 5, pp. 2-3.

112. *Ibid.*, Sections 11, 12, 15, p. 5.

113. *Ibid.*, Section 16, p. 7.

114. *Ibid.*, Section 40, pp. 19-20.

115. Shri Bihari Lal Sharma, in a talk with the author on 13-6-1964, at Mandalgarh.

116. *Ibid.*

of Jhalawar were taken in 1946. In that year Maharaja Rana Harish Chandra passed the Jhalawar State Panchayat Act No. 1.¹¹⁷ The Act provided for the establishment of a hierarchy of Dehati Panchayats, Nizamat Panchayats and, above all, a Raj Panchayat.¹¹⁸ The members of the Dehati Panchayats were to be elected on the basis of joint adult franchise.¹¹⁹ The members of the Nizamat Panchayats were to be elected by the members of the Dehati Panchayats from amongst themselves.¹²⁰ The members of the Raj Panchayat were to be elected by the members of the Nizamat Panchayats from amongst themselves.¹²¹ The Sarpanch of each Dehati Panchayat was to be elected by the voters of every village from amongst the members already elected by them.¹²² The Sarpanch of a Nizamat Panchayat was to be elected from amongst the members of the Nizamat Panchayat by the panchas of Dehati Panchayat and of the Nizamat Panchayat concerned.¹²³ The Sarpanch of the Raj Panchayat was to be elected from amongst the members of the Raj Panchayat by the panchas of Nizamat Panchayats of the whole State.¹²⁴ The term of all the panchayats was to be 5 years.¹²⁵

The Dehati Panchayats were to perform twofold functions : civil and cultural, and judicial. The Dehati Panchayats were to have powers to deal with civil suits up to the value of Rs. 100, revenue cases up to the value of Rs. 100, and take cognizance of few criminal cases.¹²⁶ In the field of civic and cultural functions, each Dehati Panchayat was required to perform functions in relation to sanitation, economic uplift, employment, village marketing, relief, internal security, etc.¹²⁷ The Nizamat Panchayats

117. *The Jhalawar State Panchayat Act No. 1* of V.S. 2003, p. 1

118. *Ibid.*, Section 4.

119. *Ibid.*, Section 5.

120. *Ibid.*, Section 6.

121. *Ibid.*, Section 7.

122. *Ibid.*, Section 8.

123. *Ibid.*, Section 9.

124. *Ibid.*, Section 10.

125. *Ibid.*, Section 11.

126. *Ibid.*, Sections 31 and 32.

127. *Ibid.*, Section 30.

and the Raj Panchayat were given appellate judicial functions only.

The Act was a great landmark in the field of legislations regarding local self-governing institutions not only in the State of Jhalawar but in the whole of Rajasthan. It had many commendable features. Firstly, the provision of three-tier system was entirely a novel introduction in the sphere of panchayats. Secondly, quite wide powers and liberal functions were granted to Dehati Panchayats. These panchayats were entrusted not only with ordinary administrative functions but were also required to solve the problems of unemployment, agriculture, etc. Thirdly, in judicial matters they were empowered to try civil, criminal and revenue cases. Fourthly, the provision for elected panchayats with a Sarpanch elected directly by the voters was really a great democratic step. Lastly, the term of the panchayats was kept longer than that of the panchayats in other States. It was sure to provide stability to the politics of the panchayats.

Soon preparations were made to give effect to the provisions of the Act and by the beginning of 1948, one Raj Panchayat, three Nizamats Panchayats, and 507 Dehati Panchayats came into existence. The members of these panchayats, in February 1948, elected Raj Rana Harish Chandra as the Prime Minister of the State. At the time of the State's integration into the Union of Rajasthan, the panchayat institutions in the State of Jhalawar, although much advanced in theory, were in their elementary stage in practice because they did not get sufficient time to realize their aspirations.

SOUTHERN DIVISION

Udaipur State

In 1938, the Mewar Government passed the Mewar Raj Gram Panchayat Act.¹²⁸ The Act provided for the establishment

128. *File—Copies of Various Notes and Annual Report since 1949, Community Development and Panchayat Department, Jaipur, : A brief note on the panchayat movement in Rajasthan. p. 1.*

of a panchayat consisting of 5 to 9 nominated members for a village having a population of 1,000 or more.¹²⁹ The panchayats were to perform administrative and judicial functions. In the judicial sphere, they were empowered to take cognizance of petty criminal cases and try civil suits up to the value of Rs. 25.¹³⁰

In pursuance of the Act of 1938, fifty village panchayats were established. These panchayats could not function owing to lack of literate workers and money. In 1940, the Mewar Government passed the Amended Mewar Gram Panchayat Act with the object to remedy the defects of the Act of 1938, and to associate the people with the administration of villages.¹³¹ Accordingly, a panchayat consisting of 5 to 9 elected panchas was to be established for a village or a group of villages having a population of 1,000 or more.¹³² The Sarpanch was to be either the Patel of the village or the Lambardar or a person elected by the adult males of the headquarters of the panchayat.¹³³ The panchayats were given judicial and administrative functions to perform. In the judicial field the panchayats were empowered to hear civil cases up to the value of Rs. 50/- and criminal cases concerning certain petty offences.¹³⁴ The panchayats were empowered to impose fine up to Rs. 11 in some cases and Rs. 5 in others. In the administrative field the panchayats were entrusted with the task of looking after the village sanitation, lighting, water supply, construction and maintenance of village tracks, etc. They were given powers to impose a few taxes with the previous permission of the government.¹³⁵

The Act was a landmark in the history of panchayat legislation in the State of Udaipur for it introduced male adult fran-

129. *Mewar Village Panchayat Act*, 1938, p. 1.

130. *Ibid.*, p. 2.

131. *Administrative Report, Mewar State*, 1940-42, p. 97.

132. *Ibid.*

133. *Ibid.*

134. *Ibid.*

135. *Ibid.*

thuse and provided for a group panchayat system. Soon a separate Village Panchayat Department, headed by a Registrar, was established.¹³⁶ Under the guidance of this Department 79 new panchayats were established, 43 old ones were reorganised, and 7 were abolished because they were utterly incompetent.¹³⁷ At the end of 1942 there were 123 panchayats.¹³⁸ This number rose to 181 in 1947.¹³⁹

Achievements

Village panchayat movement in the State of Mewar made satisfactory headway in between 1940 and 1948.¹⁴⁰ A perusal of the record and information collected through personal interviews with the persons concerned, reveals that all village panchayats looked after the sanitation and lighting arrangements. For this purpose they engaged sweepers and oilmen. They also took steps to pave rastas, construct latrines and urinals. A few of the panchayats opened night schools in the villages. Pedigree bulls were purchased and maintained by a good number of panchayats. Some village panchayats opened reading rooms and gave subsidies for games. The village panchayats of Mandalgarh and Rashmi maintained a library and a reading room. Rashmi village panchayat gave subsidy to a volleyball club. The panchayats of Khamnor, Khajuri and Ghosunda provided medical facilities to the villages. In short, the village panchayat movement gained stability and popularity in the State of Mewar by the time when the Union of Rajasthan was formed.¹⁴¹

136. Ibid.

137. Ibid.

138. Ibid.

139. *Mewar Praja Mandal File 24/2—1946-48, List of Panchayats* (The list was sent to the Secretary, Alwar Raj Praja Mandal, Alwar).

140. The description of the achievements of the panchayats is based on the official records available at the Director of Archives, Government of Rajasthan, Bikaner.

141. Shri Hari Singh Jat, in a talk with the Author on June 6, 1963, at Jaipur ;
Shri L.L. Joshi, in a talk with the Author on October 19, 1963, at Ajmer.
Shri Kesari Singh Darda, in a talk with Author on December 7, 1963, at Mandalgarh.

Shahpura State

The Shahpura State authorities passed a village panchayat Act in 1939, with the aim 'to foster and develop a spirit of public service in the rural population'.¹⁴² The Act provided for the establishment of a panchayat consisting of all nominated members in a village or a group of villages.¹⁴³ A few panchayats were established under the provisions of the Act. The panchayat of Dhikola did good work but the other panchayats did not work satisfactorily.¹⁴⁴ The lack of civic sense in the villages and illiteracy among the sarpanches were responsible for such state of affairs. In 1946, the amended Shahpura State Village Panchayat Act was passed.¹⁴⁵ Accordingly, a panchayat consisting of five to nine members, elected by the adult persons residing in the panchayat area, was to be established in a village or a group of villages having a population of 800 or more.¹⁴⁶ The Sarpanch was to be elected from amongst the members of the panchayat.¹⁴⁷ The term of the panchayat was 3 years.¹⁴⁸ The panchayats were given twofold functions, administrative as well as judicial. In the judicial field they were empowered to deal with certain civil cases up to the value of Rs. 25 and take cognizance of petty criminal offences.¹⁴⁹ They were required to look after the sanitation of the village, to improve agriculture, to plant trees and protect them, to look after public health, etc.¹⁵⁰ The panchayats were empowered to impose fine up to Rs. 5.¹⁵¹

The Act of 1946 was a landmark in the field of panchayat legislation in the State on account of its two distinctive features. Firstly, elected panchayats on the basis of adult franchise were granted. Secondly, the Act enlarged the functions and powers of the panchayats. Five panchayats were established under the

142. *Administrative Report, Shahpura State, 1941-42*, p. 11.

143. *Ibid.*

144. *Ibid.*

145. *Village Panchayat Act, Shahpura, 1946*, p. 1.

146. *Ibid.*, Sections 6, 7, p. 3.

147. *Ibid.*, Section 8, p. 3.

148. *Ibid.*, Section 19.

149. *Ibid.*, Sections 27, 34, 36, pp. 6-9.

150. *Ibid.*, Section 56, pp. 12-14.

151. *Ibid.*, Section 60, p. 15.

provisions of the new Act.¹⁵² They were in the state of infancy when the State was integrated into the Union of Rajasthan.¹⁵³

Sirohi State

The Sirohi Village Panchayat Act was passed in 1941, with the object 'to foster and develop a spirit of public service in the rural population and to avoid unnecessary expenditure on petty litigation'.¹⁵⁴ The Act provided for the establishment of a panchayat consisting of 5 to 9 members nominated for 3 years by the Member in charge of Panchayats in the State Council.¹⁵⁵ They were required to perform judicial and administrative functions.¹⁵⁶ Accordingly, panchayats were established in the villages of Ajari, Mandor, Santpur, Meda, Paldi, Resaliya, Amblari and Silar in 1942.¹⁵⁷ In 1943, the Government of Sirohi appointed a special officer to enlighten the village folk on the benefits of village panchayats and assist and advise them in the establishment and working of village panchayats.¹⁵⁸ As a result, six more panchayats were established.¹⁵⁹

In 1946, the Maharaja appointed a Committee to suggest amendments to the Village Panchayat Act so as to make the panchayats more democratic.¹⁶⁰ On the basis of recommendations made by the Committee the revised and modified Sirohi Village Panchayat Act was passed in 1947.¹⁶¹ This Act empowered the government to establish in every village, a panchayat consisting of 5 to 9 members elected by the adults of the village.¹⁶² The

152. Shri Fatch Singh Dangi, in a talk with the Author on 5-9-1965 at Bhilwara.

153. Shri Mohan Singh Chordia, in a talk with the Author on 11-8-1962.

154. *Administrative Report, Sirohi State*, 1940-41, p. 6.

155. *Panchayat Rules—made under the Sirohi Panchayat Act*, 1941, Section 1.

156. *Sirohi Village Panchayat Act*, 1941, pp. 2-4.

157. *Administrative Report, Sirohi State*, 1941-42, p. 6.

158. *Ibid.*, p. 8.

159. *Administrative Report, Sirohi State*, 1942-43, p. 8.

160. *Administrative Report, Sirohi State*, 1945-46, Panchayats.

161. *The Sirohi Village Panchayat Act, 1947 & Village Panchayat Rules*, 1947, p. 1.

162. *Ibid.*, Sections 2, 3, 6.

Sarpanch was to be elected by the panchas from amongst themselves.¹⁶³ The panchayats were given administrative and judicial functions. They were granted powers to try certain civil suits up to the value of Rs. 50 and take cognizance of petty criminal cases.¹⁶⁴ Their administrative functions included sanitation, public health, water supply, lighting the streets, plantation, improvement of agriculture, etc.¹⁶⁵

The Act of 1947 was a great improvement on the previous Act as it provided for panchayats elected on the basis of adult male franchise and widened the sphere of their activities in judicial as well as administrative matters. The existing panchayats were reorganised according to the provisions of the new Act and 10 panchayats were established.¹⁶⁶ The Government of Sirohi State gave grant-in-aid of Rs. 40,000 to these panchayats during the year 1947-48.¹⁶⁷ But the village panchayats did little besides their usual sanitary and lighting arrangements.

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Banswara State

In 1926, the Banswara State Village Panchayat Act was passed by Maharaja Prithi Singh.¹⁶⁸ But it remained only on paper and no steps were taken to establish panchayats in the State for the reasons not yet known. In 1947, Maharaja Chandravir Singh enacted the Banswara Village Panchayat Act.¹⁶⁹ Accordingly, a village panchayat, consisting of 5 to 7 members, was to be established for a village or a group of villages having an adult population of 200.¹⁷⁰ The panchayats were to be partly

163. *Ibid.*, Sections 2, 3, 6.

164. *Ibid.*, Sections 14—19.

165. *Ibid.*, Section 20.

166. *File No. 13/Village Panchayats, Judicial & Development Department. Year 1947-48*, p. 26.

167. *File—Copies of Various Notes & Annual Reports since 1940; Community Development & Panchayat Department*, p. 22.

168. *Minutes Book of Banswara Praja Mandal*, 1945-48.

169. *Banswara Village Panchayat Act, 1947* (Published in Banswara State Gazette, 1-3-1947), p. 1.

170. *Ibid.*, Section 3(c).

elected and partly nominated.¹⁷¹ Every person who resided in the panchayat area and fulfilled certain property or educational qualifications was eligible for voting in the panchayat elections.¹⁷² The Sarpanch was to be elected by the panchas from amongst themselves.¹⁷³ The panchayats were given judicial and administrative functions. In the judicial field they were empowered to deal with certain civil suits up to the value of Rs. 25 and take cognizance of petty criminal offences.¹⁷⁴ Panchayats were empowered to impose fine up to Rs. 20.¹⁷⁵

The provisions of the Act could not be given effect to owing to the Maharaja's decision to merge the State into the Union of Rajasthan.¹⁷⁶

Partabgarh State

In 1939, Maharawal Ram Singh passed the Partabgarh Panchayat Act, with the aim to help settle local disputes and to improve the condition of the villages.¹⁷⁷ Accordingly, a panchayat, consisting of 3 to 5 nominated members, was to be constituted for a village or a group of villages.¹⁷⁸ The panchayats were to perform administrative and judicial functions. In the judicial field they were empowered to deal with civil suits up to the value of Rs. 25 and take cognizance of petty criminal offences.¹⁷⁹ In the field of administration, the panchayats were to discharge duties in respect of sanitation, drinking water, lighting, etc.¹⁸⁰ The panchayats were empowered to impose fine up to Rs. 10.¹⁸¹

171. Ibid., Section 4(1).

172. Ibid., Section 4(b).

173. Ibid., Section 6(A).

174. Ibid., p. 15.

175. Ibid.

176. *File—Banswara Praja Mandal*, 1945-48 : Letter addressed to Rajputana Regional Council of 8-2-1947.

177. *Partabgarh Panchayat Act*, 1939, p. 1.

178. Ibid., Section 4, p. 1.

179. Ibid., Section 8, p. 2.

180. Ibid., Section 31, p. 4.

181. Ibid., Section 33, p. 4.

One of the gladsome features of the Act was the introduction of the system of group panchayats having jurisdiction over a group of villages. The provisions of the Act were soon translated into action and ninety-nine panchayats were established in the State.¹⁸² The village panchayats were put under the charge of the village uplift officer of the State.¹⁸³ These panchayats continued to function till the merger of the State into the Union of Rajasthan.

Former Union of Rajasthan

The Popular Interim Government, headed by Shri Manikya Lal Varma, passed and promulgated the Rajasthan Panchayat Raj Ordinance No. 79, in the year 1948.¹⁸⁴ Accordingly, a panchayat, consisting of 9 to 15 panchas elected on the basis of adult franchise, was to be established for a village or a group of villages having a population of 1,500 to 5,000. The government was also empowered to continue a village panchayat for a village or a group of villages having a population of 1,000.¹⁸⁵ Provision for the nomination of minority representation by the panchayats was also made.¹⁸⁶ The Sarpanch and the Deputy Sarpanch were to be elected by the panchas.¹⁸⁷ The panchayats were given judicial and administrative work. In the judicial field they were empowered to try civil suits up to the value of Rs. 100 and take cognizance of petty criminal cases.¹⁸⁸ The panchayats were empowered to impose fine up to Rs. 10.¹⁸⁹ In the field of administration the panchayats were given large obligatory and discretionary powers.¹⁹⁰ They were empowered (subject to the prescribed rules and orders of the Government in this connection) to impose taxes on industry, entertainment, vehicles, etc.

182. *Business Rules Panchayats Partabgarh*, 15-5-1939.

183. *Partabgarh Panchayat Act*, 1939, Section 37.

184. *File—Copies of various Notes and Annual Report, Community Development & Panchayat Department, Jaipur*; A brief note on the Panchayat Movement, p. 2.

185. *United Rajasthan State Panchayat Ordinance*, 1948, Sections 5, 7 & 10, pp. 2-3.

186. *Ibid.*, Section 9.

187. *Ibid.*, Section 13.

188. *Ibid.*, Section 29, p. 11.

189. *Ibid.*, Sections 23, 24, pp. 7-8.

190. *Ibid.*

The Rajasthan Panchayat Act Ordinance was a forward step in the direction of local self-government. It contained four unique features. Firstly, it provided for group panchayats. Secondly, it provided for wide judicial and administrative functions of the panchayats. Thirdly, it provided for panchayats elected on the basis of adult franchise with elected Sarpanchas and Deputy Sarpanchas. Lastly, the provision was also made for the nomination of minority community.

To give effect to the ordinance, a separate Village Panchayat Department was established under a Registrar. Under the guidance of this Department, 451 panchayats were established in the various villages of the former feudatories of Udaipur, Kota, Kishangarh, Dungarpur, Bundi, Jhalawar, Partabgarh, Tonk, Banswara and Shahpura. These panchayats covered 7 920 villages out of 13,656 villages in the Union of Rajasthan¹⁹¹. The village panchayats had just started their work and, as such, a proper evaluation of their achievements is not possible.

Main Features of the Panchayat Movement

A study of the growth of the panchayat movement in the various States of Rajasthan reveals the following interesting facts:

- I. The growth of the panchayat system in Rajasthan is very recent. The first princely state to put Panchayat legislation on the statute book was the State of Bharatpur in which the Village Panchayat Act was passed in 1925. Gradually, other States also enacted panchayat legislations. In the beginning of 1948, panchayat legislations existed in 15 States of Rajasthan but the panchayats were functioning only in 12 States. In Kota the panchayat movement deteriorated as the years rolled on and ultimately it came to an end. In Karauli the panchayat movement was initia-

191. *File : Copies of Various Notes and Annual Reports since 1949. Community Development and Panchayat* (Jaipur), p. 21.

ted according to the provisions of the Village Panchayat Act of 1939, but it failed. In Banswara the village panchayat legislation was passed but not implemented. In other States, viz., Jaisalmer, Kushalgarh, Lawa, Dholpur, Alwar and Dungarpur, no steps were taken to enact panchayat legislation. In 1948, the Government of Rajasthan passed Rajasthan Panchayat Ordinance No. 29 which was a forward step in the direction of local self-government in the State.

- II. The panchayats were given judicial and administrative functions in the States of Udaipur, Jaipur, Bikaner, Tonk, Shahpura, Karauli, Partabgarh, Jodhpur, Jhalawar, Banswara, Sirohi, and Bundi, while in Kota and Kishangarh they were given only judicial functions. In the judicial field they were given jurisdiction in both civil and criminal cases except in the State of Jaipur where the judicial functions of the panchayats were restricted to civil jurisdiction only. In 1948, the Jaipur State Panchayat Raj Act was passed. According to this Act, judicial functions were to be entrusted to the Nyaya Panchayats. Panchayats in these States were generally empowered to try civil suits up to a certain value varying from Rs. 10 as in the State of Kishangarh, to Rs. 100 as in Jhalawar; (i) suits for money ; (ii) suits for damages ; (iii) suits for specific movable property ; and (iv) suits for compensation for wrongfully taking or damaging movable property.

On the criminal side they could take cognizance of petty offences, viz., causing voluntary hurt, assault or use of criminal force without grave provocation, theft, assault or use of criminal force on grave provocation, intentional insult to provoke a breach of peace ; forcibly opposing the seizure of cattle by the government officials, etc. In Jhalawar State the

panchayats were also given power to try revenue suits up to the value of Rs. 100.

In the sphere of administration the panchayats in Rajasthan were generally entrusted with the functions like the following :

- (i) Village cleanliness and sanitation.
- (ii) The construction, maintenance and improvement of public drains.
- (iii) The improvement of agriculture and agricultural stock.
- (iv) The prevention of contagious or infectious diseases, distribution of medicines, etc., in the interest of public health.
- (v) The excavation, maintenance, improvement and disinfection of wells, ponds and tanks for the supply of water for drinking, washing and bathing. In the States of Jhalawar, Jaipur, Jodhpur, Banswara, Mewar and the Union of Rajasthan, the panchayats were given a large number of obligatory and discretionary functions.

III Group panchayat system was provided in the States of Udaipur, Bundi, Kota, Jhalawar, Jaipur, Banswara, Partabgarh, Kishangarh, Tonk, Bharatpur, Shahpura, and Jodhpur while the panchayats in Sirohi State were organised on the basis of single village panchayat system. In the States of Jaipur and Bharatpur, however, only single village panchayat system was followed in practice. In 1948-49, there existed in the State of Jaipur, 319 village panchayats which covered 319 villages and in Bharatpur 507 village panchayats covering 512 villages. The Union of Rajasthan followed the group panchayat system.

IV, All States provided for single-tier system but the

State of Jhalawar adopted three-tier system of panchayats under which provision was made for Dehati, Nizamat and Raj panchayats.

- V. Except the State of Kota all other States started with nominated panchayats but gradually the constitutions of panchayats in various States were liberalised. In 1948, elected panchayats existed in the States of Udaipur, Shahpura, Tonk, Jhalawar, Jaipur and Sirohi. In 1948, election system was introduced in Jodhpur State. In the same year adult franchise was introduced in Jaipur and in the Union of Rajasthan (Udaipur). Panchayats in Bharatpur State were partially elected and partially nominated. In the States of Bikanor, Partabgarh, Bundi, Kishangarh, nomination system was followed. Elected Sarpanchas were provided in the panchayats of the States of Udaipur, Tonk, Sirohi and Jhalawar but in others the sarpanchas were nominated. The term of panchayats was kept 3 years in all States of Rajasthan except in Jhalawar State where it was expressly kept 5 years. The Sarpanchas in all the States were given casting vote in case of a tie.

- VI. A study of the official records reveals that the panchayat movement in Rajasthan was still in an elementary stage in 1947-48. The achievements of the panchayats in the States were meagre and scanty. The movement got an impetus only when the popular government came into existence in the States of Jodhpur, Jaipur, Sirohi and in the Union of Rajasthan (Udaipur).

Reasons for Slow Growth

It is clear from the preceding study that the object of village panchayats legislation in Rajasthan was to provide an agency in the villages for looking after their sanitation as well as for the

- early and easy settlement of their petty disputes without endangering the existing harmony and goodwill. We have to admit that with a few exceptions here and there neither of the two objectives was achieved. Various factors were responsible for this. The chief among them were the following :—

Unsatisfactory Financial Position

The financial position of the village panchayats was not satisfactory in almost all the States of Rajasthan. In many instances their yearly income did not exceed a hundred rupees. During the year 1940-41, the average annual income of a village panchayat in Jodhpur State was Rs. 70 only.¹⁹² In 1945-46, the village panchayat of Phoolia, in Shahpura, had an annual income of Rs. 43 only.¹⁹³ In the Shekhawati region of Jaipur State, the village panchayats of Chhaprel, Gudda and Ponkh had an annual income of Rs. 41, 63 and 59, respectively, during the year 1947-48.¹⁹⁴ It was not possible for the village panchayats to perform even the elementary municipal functions with such a meagre amount. The village panchayats in a few States, such as Bundi, Bharatpur, Tonk and Shahpura, had no powers to levy taxes. In the states where the powers to levy taxes were given, they were not exercised by the village panchayats. In the States of Jaipur, Jodhpur and Bikanor, the village panchayats had not started levying taxes even in 1947. In most of the States the village panchayats depended on grants-in-aid by the government even to carry on their day-to-day work. Economic independence is pre-requisite for the efficient working of local bodies. When they have to beg to every penny that they require, it is only natural that they will become indolent and inefficient, as was the case with most of the panchayats in Rajasthan.

192. *Administrative Report, Jodhpur State, 1940-41, Village Panchayats.*

193. Personal investigation based on the evidence of Shri Ladu Lal Jain, the then Up-Sarpanch of the Phoolia Panchayat.

194. Personal investigation of the Author based on the evidences of Shri Inder Singh of Poonkh, Shrivnath Singh of Gudda, Shri Zabar Singh of Gudda, Shri Chen Ram, etc.

Apathy of the People

The attitude of indifference on the part of the rural population was another important factor responsible for the slow growth of village panchayat movement in the various princely states of Rajasthan. The rural population were educationally and economically very backward. Centuries of despotic rule had made the people very dormant. Consequently, they lost all initiative and had grown accustomed to receiving things from above. The institution of village panchayats appeared to them an innovation which they feared as the blow of fate. Neither did the people realize the importance of panchayat work nor did the state authorities try to make them acquainted with the utility of panchayats. As such, the people remained apathetic towards the village institutions and thus they themselves became the obstacles in the way of their progress.

Half-hearted Inception

The rulers of the princely states of Rajasthan passed some panchayat legislations with a desire to keep pace with the democratic movements surging up in the other parts of India, and in some cases, making a mere show of improved administration and developed local self-government. But the idea of giving very little power and incurring the minimum possible expenditure on the panchayat system remained uppermost in the mind of the persons at the helm of affairs. This conservative attitude was responsible for the slow and sluggish development of the village panchayat system.

Lack of Public Spirited and Educated People

Lack of public spirited and educated persons in the villages was a great hindrance in the development of panchayat institutions in the States of Rajasthan. In this connection, Dr. R.R. Kasliwal aptly observed : "Panchas including Chairman, are not always men of intelligence and integrity of character. They have sometimes used these institutions as instruments to gain their own selfish ends. Their judgement in many cases

lacked impartiality.”¹⁹⁵ The following remark of the Development Secretary of Jodhpur State about an Up-Sarpanch is quite illustrative of the point under consideration : “Up-Sarpanch, who is practically illiterate, is malicious at heart and man of intelligence much below average and wholly incompetent to be even a panch.”¹⁹⁶ Thus a good number of panchayats could not function in a few states as literate and capable persons were not available to carry on their business.

Attitude of the Jagirdars

The attitude of the Jagirdars towards the panchayat movement was also responsible for its slow growth in Rajasthan. The Jagirdars were never in favour of the establishment of rural local self-governing institutions. Their attitude towards these institutions was always that of hostility because they thought that the establishment of panchayats would be a great set-back to their aristocratic and privileged position which they had been enjoying for centuries.*

Faulty Organisation

The defective organisation of the panchayats was also responsible for their failure to achieve their goal. Single village panchayat system was unsuitable in Rajasthan. This system was, in fact, responsible for the poor financial position of the panchayats. Women were not made eligible for elections to the panchayats; universal adult franchise was not granted; system of nomination of the panchas and the sarpanchas continued. All these factors made the organisation of panchayats very defective and checkmated their progress.

195. Dr. R.R. Kashiwal : *Administrative System in Jaipur State since 1800 A.D.* (Unpublished Doctoral Thesis), p. 313.

196. File No. C/6 Volume I—*Local Bodies Office, Mahlmakhas, Government of Jodhpur*—Letter No. 5630 of 28-6-1948.

*File—*Copies of Various Notes and Annual Reports, 1949, Jaipur : Annual Report, Village Panchayats for the year 1949-50, p. 10.*

Limited Powers

In most of the states of Rajasthan the panchayats were not given sufficient powers. For example, even in the State of Jaipur they did not have full judicial powers. The sphere of their activity was too limited to make them work effectively. For example, the Kota State panchayats were not given any municipal and administrative responsibility.

Unsympathetic Attitude of the Officials

The bureaucratic and conservative attitude of the state officials also hindered the progress of the panchayat movement in Rajasthan. The state officials, who mostly belonged to the feudal class, were entirely unsympathetic towards the panchayat movement. They treated these institutions as organisations which encroached upon their power and position which they had been enjoying for the past several years.

Existence of Caste Panchayats

The existence of caste panchayats was also a hindrance in the growth of the panchayat movement in Rajasthan. The people also considered them more competent to deal with the affairs of their day-to-day life. Hence the panchayats established by the state authorities could not gain popularity.

Besides the lack of trained staff, absence of separate departments of panchayats in the states, and too much of official interference obstructed the progress of panchayat movement in Rajasthan.

DISTRICT BOARDS

Introduction

District Boards in Rajasthan were established as late as 1931. In that year the Maharaja of Bikaner passed a District Board Act. After sixteen years of its enactment, the State of

Jaipur passed the Jaipur State District Board Act in 1947. A District Board was also established in Dungarpur State in 1935, but the State passed no legislation on the subject.

WESTERN DIVISION

Bikaner State

In 1931, the Government of Bikaner enacted the Bikaner State District Board Act with the object to 'educate the rural population into the method of local self-government and to teach them to manage their own affairs'.¹⁹⁷ Accordingly, a district board was to consist of a few elected and nominated members who were to hold office for 3 years.¹⁹⁸ Nominated members were to be nominated by the Ruler of the State and the other members were to be elected by the people.¹⁹⁹ A person who fulfilled certain prescribed property or educational qualifications was eligible to vote.²⁰⁰ The Chairman of the Board was to be nominated by the Maharaja. The Chairman was to be the administrative chief of the Board.²⁰¹ Every Board was to meet at least once a month.²⁰² The boards were given a large number of obligatory and voluntary duties, such as the construction, repairing and maintenance of public roads; the planting and preservation of trees on the side of public roads; the construction and repairs of public wells, tanks, water works, and supply of water, public vaccination, sanitation and prevention of diseases, regulating offensive, dangerous or obnoxious trades, calling or practices; regulation of births and deaths; reclaiming unhealthy localities, improvement of suburbs and rural town planning. The Board was given powers to impose taxes on professions and property, to levy local rates, and to make bye-laws.²⁰³

197. *Bikaner State District Board Act, 1931* (Available in File—The District Board Bill, Legislation Department, 1931).

198. *Ibid.*, Section 3(1).

199. *Ibid.*, Section 3(1).

200. *Ibid.*, Sections 6, 7.

201. *Ibid.*, Section 29.

202. *Ibid.*, Section 11.

203. *Ibid.*, Section 65.

In spite of its many apparent shortcomings, the Act was a great landmark in the history of local self-government in the State as it provided for the establishment of local self-governing institutions which were bound to improve the condition of rural population. The provisions of the Act were implemented in 1935 by establishing a District Board at Ganganagar.²⁰⁴ It consisted of 56 members—42 elected and 14 nominated. In 1940 the number of members was reduced to 48—36 elected and 12 nominated. Subsequently, various district boards were established, i.e., at Suratgarh in April 1941, at Rajgarh in January 1942, at Bikaner in February 1942, and at Sujargarh in July 1942.²⁰⁵ At the time of the merger of the State into Rajasthan there existed five District Boards only.

SOUTHERN DIVISION

Dungarpur State

Under the Ferman No. 295 (dated August 25, 1934) of the Maharawal of Dungarpur State a District Board was established in the State of Dungarpur consisting of a peon, a Sarishtedar, a cashier and an Officer in charge. The Board was required to work in accordance with the Dungarpur Municipal Act, 1913. It was to supervise and control the work of the municipal committees of Galiakot, Aspur, Sabala, and Sagwara. The Officer in charge was given the power to impose fines up to Rs. 10 and issue warrants.²⁰⁶ The District Board of Dungarpur was not a district board in the true sense of the term. It was a government department entrusted with the work of supervising the activities of the municipal sub-committees in the State and had no statutory status.

EASTERN DIVISION

Jaipur State

In 1947 the Government of Jaipur State passed the Jaipur District Boards Act.²⁰⁷ The Act provided for the establishment

204. *Four Decades of Progress in Bikaner State* (1937), p. 77;

Administrative Report, Bikaner State, 1939-42, p. 122.

205. *Administrative Report, Bikaner State, 1941-42*, pp. 120-122.

206. *File No. 10/15—Law & Local Self Department, Rajasthan, Udaipur. Year 2005, V.S. : Report of the Incharge Officer, District Board, Dungarpur.*

207. *File—Jaipur Gazette Part III 1947 (September) to 1948 (August)*, pp. 284.

of a District Board for every district of the State.²⁰⁸ The Board was to consist of not less than 15 and not more than 30 elected and nominated members.²⁰⁹ Every person entitled to vote in the elections to the Representative Assembly of the State was made eligible for voting in the elections to the district boards.²¹⁰ The term of each board was to be 3 years.²¹¹ Every board was to have a President (elected or nominated) and Vice-President elected by the members of the board from amongst themselves.²¹² The President of the board was to have casting vote in case of a tie.²¹³ Quorum for the meeting was to be one-third of the total members of a Board.

The boards were given a large number of obligatory and voluntary duties, such as²¹⁴ the construction, repair and maintenance of public roads, the establishment, management and maintenance of hospitals, dispensaries, poor houses, orphanages, public parks, etc., the institution, holding and management of fairs, agricultural shows, etc.; public vaccination, sanitation and the prevention of diseases; and registration of births and deaths. It was to have power to make bye-laws and regulations, to levy cess, to receive contribution or donations from private individuals, etc.²¹⁵ In August 1948, the Government of Jaipur State amended the District Boards Act with the intention of establishing district boards immediately.²¹⁶ According to this Act, the State Government had powers to establish in any district provisional district board or boards consisting wholly of nominated members. Accordingly, the State authorities established district boards in the four districts of Jaipur State, viz., Sawai Jaipur, Sawai Madhopur, Jhunjhunu and Malpura.²¹⁷

208. *Jaipur District Boards Act*, 1947, Section 3(1).

209. *Ibid.*, Section 4.

210. *Ibid.*, Section 6.

211. *Ibid.*, Section 12.

212. *Ibid.*, Sections 16-17.

213. *Ibid.*, Section 23.

214. *Ibid.*, Section 27.

215. *Ibid.*, Sections 31 & 35.

216. "*The Jaipur State Gazette*", 17-8-1948, pp. 3-4

217. "*The Jaipur State Gazette*", 16-10-1948, p. 1.

The first session of these boards was held in the month of November 1948, and resolutions regarding the levy of cesses were passed and sent to the Government for sanction.²¹⁸

Achievements

In 1942, Bikaner was the only State in Rajasthan which could claim to have a well organised rural local self-government at district level. Here follows a brief review of the work done by these institutions in the State of Bikaner.²¹⁹

Medical and Public Health

District Boards in Bikaner State did good work in the field of medical and public health. The District Board, Ganganagar, maintained Ayurvedic Dispensaries at Gulabwala and Mukawa,²²⁰ and gave grant-in-aid to an Ayurvedic dispensary at Daulatpura.²²¹ From November 1, 1945 to 31st March, 1947, about 31,401 patients were treated in these dispensaries.²²² The Rajgarh District Board established an Ayurvedic dispensary at Ramgarh in 1944.²³ The District Board, Bikaner, distributed medicines for malaria and typhoid cases free of charge among the villagers during 1942-43.²²¹ In the year 1945, the Bikaner District Board distributed medicines worth Rs. 200²²⁵ and the Ganganagar District Board contributed Rs. 600 to the State Hospital, Ganganagar, in the year 1942-43.²²⁶ In the year 1944-45 a sum of Rs. 1,600 was contributed to the same hospital for

218. "The Jaipur State Gazette", (Extraordinary), November 29, 1948, pp. 1-5.

219. Dungarpur District Board had not done any appreciable work to take note of while Jaipur District Boards were still in their initial stage and so the evaluation of their work is not possible.

220. *Administrative Report, Bikaner State*, 1942-43, p. 126.

221. *Administrative Report, Bikaner State*, 1946-47, District Boards.

222. *Ibid.*

223. *Administrative Report, Bikaner State*, 1944-45, p. 133.

224. *Administrative Report, Bikaner State*, 1942-43, p. 127.

225. *Administrative Report, Bikaner State*, 1944-45, p. 134.

226. *Administrative Report, Bikaner State*, 1942-43, p. 126.

establishing an X-Ray plant as well as for the purchase of medicines.²²⁷ The Ganganagar District Board maintained veterinary dispensaries at Ganganagar and Padampur.²²⁸ In Ganganagar District Board 49,657 cattle were treated during the period from 1942 to 1947 in the various veterinary dispensaries run by the Ganganagar District Board.²²⁹ The Suratgarh District Board, too, had one veterinary dispensary at Hanumangarh where about 2,829 cattle were treated in 1943.

Fairs and Exhibitions

The boards organised cattle fairs. Prizes were awarded to the winners in cattle-shows and camel races. The Ganganagar Board organised an exhibition in the year 1944-45 in which Rs. 2,822 were spent on a cattle show and exhibitions.²³⁰ The fair and the show afforded fine opportunity for the sale of cattle and indigenous products. It also helped in the introduction of better sanitation and improved methods of agriculture.²³¹

Education

The district boards did fairly good work in the direction of education. In 1947 the Ganganagar District Board was running 44 schools with 1,445 boys.²³² In 1945, the Suratgarh District Board maintained eleven schools and spent about Rs. 4,003 on them. The Rajgarh District Board too had a few schools.²³³ Special attention was paid to the health of the students in all these institutions.

227. *Administrative Report, Bikaner State, 1944-45*, p. 133.

228. *Administrative Report, Bikaner State, 1942-43*, pp. 126-127.

229. *Administrative Report, Bikaner State, 1942-43* ;

 " " " " 1945-46 ;

 " " " " 1946-47 ;

(Chapter on District Boards) .

230. *Administrative Report, Bikaner State, 1942-43*, p. 126.

231. *Administrative Report, Bikaner State, 1944-45*, p. 133.

232. *Administrative Report, Bikaner State, 1945-46*, District Boards.

233. *Administrative Report, Bikaner State, 1944-45*, p. 133.

Construction of Wells

The district boards also tried to improve the conditions of agriculture. The Ganganagar District Board granted an aid of Rs. 2,641-9-6 to the people for constructing wells in the villages.²³⁴

These achievements, however, were very meagre as compared to the resources available to the district boards in Bikaner State. The boards were not able to spend full amount of welfare activities as is clear from the following table of income and expenditure for three years of the Boards of Ganganagar and Suratgarh.²³⁵

GANGANAGAR DISTRICT BOARD

<i>Year</i>	1942-43	1944-45	1946-47
	Rs.	Rs.	Rs.
Income	46,366-9-9	53,845-10-6	58,401-13-9
Expenditure	29,172-15-0	37,406-5-6	46,838-11-8

SURATGARH DISTRICT BOARD

<i>Year</i>	1942-43	1943-44	1944-45
Income	27,180-5-6	22,461-7-3	27,763-4-6
Expenditure	6,108-2-9	9,203-3-3	11,316-2-6

234. *Administrative Report, Bikaner State, 1942-43*, p. 126.

235. *Administrative Report, Bikaner State, 1942-43; District Boards.*

"	"	"	"	1943-44;	"
"	"	"	"	1944-45;	"
"	"	"	"	1945-46;	"
"	"	"	"	1946-47;	"

It is evident from the above description that all aspects of rural local self-governing institutions, except the village panchayats in Udaipur, were in their elementary stage of progress in Rajasthan. They could only achieve as much as the rural local self-governing institutions in British India had already achieved before 1920.

In order to be successful, every democracy, besides being a form of government, must become a way of living. Masses must be fully trained so that they may become good citizens pursuing right ends through right means. This can be done mainly with the help of village institutions and especially so in India because most of the Indian population lives in villages. The rural local self-governing institutions are actually the backbone of democracy and if we want to make our democracy upright, we will have to make these vertebrae stronger. Since the basic concept of democracy is that there are extraordinary possibilities in an ordinary man, we will have to depend on these village institutions more and more for the realization of our ideal of a welfare State.

PART FOUR

EPILOGUE

"The entire talk of giving four freedoms to the peoples of the States is useless unless the people are first given that most fundamental freedom—the freedom to be free."

-Anonymous

CHAPTER TEN

Summing Up

Old Order Changeth Yielding Place to the New

In the preceding pages we have studied the growth of representative institutions in Rajasthan during a period of forty years, i.e., from 1908 to 1948. We have seen that the evolution of the representative institutions was the product of action and interaction of numerous factors and forces that developed before or during the period of forty years under review. The inception and development of representative institutions was mainly the product of the clash between the old order and the new forces in which the victory eventually went to the latter.

At the close of the 19th Century the edifice of administration in the covenanting States of Rajasthan represented the despotism of the princes and their order. The prince was at the apex of the administration and exercised supreme civil and criminal authority. He was the fountain of all legislative, judicial and executive authority in the State and had powers to rule according to his own will and judgement. He was required to give no account of his acts to anybody except his British masters. The ruler was helped in his day-to-day administration by a 'Kamdar' in the smaller states or by a Council of Ministers in the bigger ones, headed by a Dewan or Musahib-i-ala. The 'Kamdar' or the Council of Ministers had merely a consultative character and the ruler was not bound to honour their advice. The 'Kamdar' or the Council of Ministers were responsible to the princes. They were the central points in which converged the various kinds of territorial administration and from which the ruler's will all over the state. People had no hand in the administration.

There existed no legislature, no advisory board and no local self-governing institutions of any tangible character. The administrative and the constitutional reforms introduced in British India with a view to evolving and developing representative institutions in the latter half of the 19th century had no effect on the rulers of the various States of Rajasthan who continued to follow the old rut.

The turn of the century witnessed a change in the attitude of a few progressive rulers of the States of Rajasthan. The progressive rulers took a few steps in the direction of people's participation in the administration of the State. Non-official elements were given a place in the Municipal Boards of a few States. The Maharaja of Bikaner instituted a Representative Assembly. Excepting this, nothing substantial happened in the other States of Rajasthan. In between 1914 and 1935 a great constitutional and administrative progress was made in British India. But for a few exceptions the rulers of Rajasthan States did not follow this commendable example. Even the advice of Viceroys like Lord Chelmsford and Lord Irwin to replace the old order with new institutions had very little or no effect on the rulers who preferred their mediaeval autocracy to the new progressive attitude and continued to keep their subjects in the darkness of ignorance. The Chiefs used every conceivable means to suppress the aspirations of the subject-people. Various laws, such as the Public Safety Act, the Press Act and the Public Societies Registration Act, were enacted to throttle public opinion. The years between 1914 and 1935 could be well marked for the political purblindness of the Chiefs of Rajasthan as this period presents a very meagre record of giving increased participation to the people in the administration of the States through representative institutions.

The history of revolutions and reforms bears out the fact that the more political consciousness grows in a country the greater are the efforts to suppress it, but like a ball, it takes impetus even from suppression and grows still stronger. So the net result of the political purblindness of the princes was the rise of Praja

Mandals in the States. The rulers tried to nip the Praja Mandals in the bud but the repressive measures could not stem the tide of popular will and determination. As Praja Mandals gained in popularity, the rulers lost the leadership and the goodwill of the people. The Praja Mandal movements (Civil Liberty Movement and the Responsible Government Movement) gained strength and vigour as the years rolled by. Although the communal organisations like the Muslim League in Jodhpur, the Anjuman Islamia and the Hindu Mahasabha in Bharatpur tried to retard this progress by their fissiparous and sectarian tendencies yet the constant rise of temperature in the political thermometer in Rajasthan, coupled with the rapidly changing political situation in the country, forced the State authorities to part with their power in favour of the people's representatives.

Various Stages of Progress

We have noted that the representative institutions passed through various stages of progress and development which were neither simultaneous nor uniform throughout Rajasthan. In a few States the representative institutions made a great headway while in others, like Jaisalmer and Dungarpur, they remained substantially where they were years before even after years of labour and struggle. The varying stage of political, social, educational and economic development of the people of the different States and the autocratic attitude of the rulers were responsible for this state of affairs. Till 1936, the pace of progress was slow and sporadic. It gained some momentum between 1937 and 1944, and was accelerated during the years just preceding Independence. The introduction of constitutional reforms in British India, the growing political awakening in the States, the persistent demand for representative institutions in the third and fourth decades of the present century all failed to provide a continuously progressive pace to the growth of representative institutions in Rajasthan in the years between 1908 and 1936. Two factors, firstly, the absence of regional or local political organisations and secondly, the lack of farsightedness and liberal-mindedness on the part of the rulers of the States, were responsible

for the halting and piecemeal reforms that were gradually introduced. Later on, the inauguration of provincial autonomy in the British Provinces, the changed attitude of the Indian National Congress towards the rulers, the establishment of the Praja Mandals and the spadework done by them, the pressure of the Viceroy and the Political Department of India, etc., provided some speed and continuity to the pace of progress in the years between 1937 and 1944. But the pace was still slow as the rulers did not want to part with any power in favour of the people's representatives and they instituted only toy legislatures and mock local self-governing institutions.

The intensified struggle for the constitutional reforms in India after the Second World War, the growing popularity of the Praja Mandals, the unqualified support of the Indian National Congress, the British decision to leave India, the formation of an Interim Government at the Centre, etc., forced the rulers to take positive steps in the direction of the establishment of representative institutions in the States. The attainment of independence by India in August 1947, and the events that followed hastened the wheel of progress. Consequently, progressive legislations were enacted either to establish representative institutions or to liberalise the constitution, organisation, powers, and functions of these bodies where they already existed. In the midst of this reformatory process arose the question of forming a Union of the States of Rajasthan. The Union of Matsya and the Union of Rajasthan (Kota) came into being on 18th and 25th March, 1948, respectively. It was decided to have an elected legislature composed of twenty-four elected and a few nominated members for the Union of Rajasthan. In the meantime, Sardar Patel was busy in larger groupings of Indian States. On April 18, 1948, Shri Jawaharlal Nehru inaugurated the Union of Rajasthan at Udaipur. This broke up the cobweb of the innumerable piecemeal schemes for setting up a travesty of legislatures, each differing from the other in size, composition, powers and functions, which had been hanging in mid-air all over Rajasthan.

An Essay in Comparison

We have seen that by the close of 1948 the representative institutions could reach only an elementary stage of progress and development. This will be further clarified by the following comparative study of the growth of the representative institutions in Rajasthan, in British provinces and in a few other Indian States.

Legislative Bodies

The stage of progress and development attained by the legislatures in the States of Bikaner, Jaipur and Jodhpur up to 1948 was similar to the progress made in this field by the legislative bodies of the British provinces in the first twenty-five years of the present century. The constitution, organisation, powers and functions of the legislative bodies of Jaipur and Jodhpur can be, to a certain extent, compared favourably with that of the legislatures of the British provinces established in accordance with the provisions of the India Act of 1919. The legislatures in the British Provinces and the two States of Jaipur and Jodhpur were composed partly of elected and partly of nominated members. The legislatures in the British Provinces (Assam) and in the States of Jaipur and Jodhpur had 73%, 72% and 75% elected members, respectively. The members were elected by direct elections. The life of the legislatures was three years, which could be extended in British Provinces as well as in the States of Jaipur and Jodhpur. All these legislatures had elected Vice-Presidents. In the British Provinces and in the States of Jaipur and Jodhpur the legislatures were given wide powers in the sphere of legislation, finance and administration. They had the powers to pass resolutions, to move adjournment motions, to ask questions and supplementary questions, to legislate on all matters and for all subjects within their purview and to discuss and pass the budget. The legislative and the financial powers were subject to a number of restrictions and limitations in the British provinces as well as in the States of Jaipur and Jodhpur. However, the legislative bodies of Jaipur

and Jodhpur States lagged behind the legislative bodies in the British Provinces in some respects. According to the provisions of the India Act of 1919 the legislatures in British Provinces could force a minister to resign by expressing lack of confidence but the legislatures of Jaipur and Jodhpur did not possess such powers. The legislatures of British Provinces were given powers to elect their own Chairmen after four years of their reorganisation under the Act of 1919, but in Jaipur and Jodhpur the Dewans were the Ex-officio Chairmen.

The Bikaner Legislative Assembly, even in 1947, could not reach the stage of progress and development which the provincial legislatures had reached in 1921. The Bikaner Legislative Assembly had very restricted financial powers in comparison with the similar powers enjoyed by the provincial legislatures. Again, the members of the provincial legislatures in British Provinces were directly elected, though on a fairly restricted franchise, but in Bikaner State they were elected indirectly by local bodies. The constitution, organisation, powers and functions of the Bikaner Legislative Assembly were only slightly better than that of the provincial legislatures constituted under the Minto-Morley Reforms of 1909. In short, Jaipur, Jodhpur and Bikaner legislative bodies had made only a beginning in the direction of responsible government by the close of 1947, whereas in the British provinces responsible government had been established as early as 1937. The progress of legislatures in the other States of Rajasthan was in its infancy and cannot fairly be compared even with the advancement made in British Provinces as early as 1892.

The progress and development of legislatures in the State of Jaipur can be compared favourably with that of the States of Mysore and Travancore. The powers and position enjoyed by the Jaipur Legislative Council as in 1947 were analogous to those of the Legislative Councils of Mysore and of Travancore in the years preceding the Second World War. The constitutional reforms of March 1948 in Jaipur gave as many powers to the Legislative Council as the Legislative councils of Mysore and

Travancore enjoyed in the post-war period. Thus in 1948, the Legislative Councils of Jaipur, Mysore and Travancore States stood almost on the same level of progress and development. The Bikaner Legislative Assembly of 1945 was placed in a slightly better position than the Mysore Legislative Council of 1907, and the Travancore Legislative Council of 1888. The Jodhpur Legislative Assembly's powers and position were similar to the powers and position of Mysore Legislative Council of 1939. The legislative bodies of Jaipur, Jodhpur and Bikaner States enjoyed better powers and position than the legislative bodies of the States of Indore, Bhopal, Gwalior and Hyderabad did in pre-Independence days.

Local Self-Governing Bodies

The stage of progress and development achieved by local self-governing institutions in the States of Rajasthan by 1948, appears very moderate and meagre when compared to the stage of progress and development attained by similar bodies in British Provinces and some other Indian States. District Boards of tangible character existed only in the State of Bikaner. Their constitution, powers and functions could well be compared with the District Boards in the British Provinces as they existed in the beginning of the 20th Century and with that of Baroda State as established in the year 1904.

The condition of panchayats in the States of Rajasthan was analogous to those of the British Provinces prior to 1919. Elected panchayats had been provided in the Province of Madras and in the State of Indore as early as 1920 and 1925, respectively, but nominated panchayats continued to function in a few States of Rajasthan, viz., Bikaner and Jodhpur until 1947. Though, theoretically, the panchayats were provided with wide judicial and administrative powers in some States, yet their powers remained on paper and they were unable to perform even elementary municipal duties. In 1948, when popular ministries were established in the States of Jaipur, Jodhpur, Sirohi and in the Union of Rajasthan (Udaipur), a few steps were taken to put the panchayats

on the right track. In spite of this the panchayat movement was at an elementary stage and could be compared favourably only with the stage of progress and development attained in the early years of the panchayat movement in the British Provinces or in the other progressive States, like Indore and Baroda. However, the institutions of panchayats in the States of Rajasthan stood in a better position and enjoyed better powers than the panchayats of Bihar, Ajmer Merwara, and Jammu and Kashmir had in 1948.

The state of municipal administration in the States of Rajasthan in 1947-48 was similar to that of the municipal administration in the British Provinces during the years 1883 to 1919. In pursuance of Lord Ripon's Resolution of 1882, Municipal Acts were passed in the various provinces in 1883-84. The new Act modified the constitutions, powers and functions of the municipal boards and provided for compulsory elections for a large proportion of municipal members. Provision for an elected Chairman was also made in the closing years of the last century. Similarly, elective element was introduced in the municipalities of the States of Mysore, Baroda, Gwalior, etc., in the 19th Century. But in the States of Rajasthan the municipalities consisted of nominated members and were merely the departments of the States. Gradually, the municipalities were given democratic character in the present century. As has already been pointed out, their powers and functions were considerably enlarged with the passage of time. However, the enlarged powers and functions remained more on paper than in reality and the municipalities limited themselves by and large to the discharge of elementary sanitary duties in majority of the States. Their meagre financial resources did not permit them to discharge and fulfil even their other elementary duties. Sanitary conditions in most of the States were deplorable even in 1947-48. When popular ministries came into being in the States of Jodhpur, Sirohi, Jaipur and in the Union of Rajasthan, a few steps were taken to put the municipal government on the right track. However, at the close of 1948 the municipal movement was still in its elementary stage in Rajasthan and had reached only the stage of progress and development which

the municipalities in the British Provinces and in a few advanced States had already reached between 1883 and 1919.

Factors Responsible for Slow Growth

Numerous factors were responsible for the slow and sluggish progress of representative institutions in Rajasthan. The chief among them was the lack of education, for no democratic institutions can be successful without education. As such, it was really a very great handicap. The percentage of literacy was very low in the States of Rajasthan. In 1941, only 5.2% population of Rajasthan was literate. Literates in English were even less than half per cent of the total population. Secondly, poor economic condition was also responsible for the slow growth of the representative institutions because it is only the economic democracy that provides right atmosphere for the progressive working of democratic institutions like the panchayats, etc. More than 90% of the people of Rajasthan were dependent on agriculture but the condition of agriculture was not good. Only 16% of the total area was under irrigation and the rest under 'Barani' conditions depending on the vagaries of moonsoon which is always uncertain in this part of the country. Thirdly, caste loyalties also handicapped the growth of the representative institutions. Casteism played a big role in elections to the representative bodies. Caste-considerations sometimes prevented the representative institutions from discharging even their day-to-day duties. Fourthly, the lack of effective means of creating political awakening in the masses was also responsible for the poor progress of the representative institutions. Even Praja Mandals were established quite late in some States. Lack of good means of publicity was also a factor responsible for the poor political awakening in the masses. Sixthly, the representative institutions based on the western ideals were an innovation to the masses and bred as they were in age-old traditions, they regarded innovation as the blow of fate. Seventhly, the hostility of the feudal element towards the representative institutions also retarded the progress and the development of these bodies. Although the political circumstances prevailing during the period had forced the feudal element

to agree to the establishment of representative institutions yet it could not reconcile with the new institutions and its attitude of hostility obstructed the effective growth of the representative bodies. Eighthly, the approach of the rulers towards the establishment of representative institutions was half-hearted and, as such, their growth was halting and tardy. The political conditions in the States till 1947 were such that in most cases the autocracy of the rulers could continue unmarked and in a few States it was covered by the thin veneer of democratic facade. The representative institutions presented only an illusion of democracy without making any substantial change in the autocratic set-up of the rulers and their order. Lastly, the lack of proper political leadership also hindered the proper growth of the representative institutions. Whatever leadership was there it was available only in the urban area. But the success of the representative institutions needed proper political leadership both in urban and rural areas.

An Assessment of Achievements

We have reviewed the composition, organisation, powers, functions and achievements of the representative institutions and have assessed their true worth and significance. Besides the tangible achievements, the representative institutions had a few non-tangible achievements of deeper significance and lasting importance to their credit, such as political socialization, political recruitment, interest-articulation, interest aggregation and political communication.

The establishment and existence of representative institutions helped in the process of political socialization in several ways. Firstly, the government of a few States, in order to ensure the success of representative institutions, appointed staff to train the masses in the technique of election, social work, etc. In 1944, Sirohi State authorities appointed one Shri D.N. Oswal to educate the public. He, with his staff, toured in the tehsils of the State, held several meetings in important villages and brought to the notice of the people the advantage of elections. His efforts resulted in systematic elections to the Central Advisory Committee.

The Bharatpur Government in order to train the workers in village local self-government, sent sub-inspectors and lady workers for receiving theoretical training in rural development. These workers after their return from training organised camps with the object to create among the village folk a spirit of service and to give them training in sanitation, agriculture, cattle-breeding, etc. Such and other activities of the state authorities connected with the representative bodies helped greatly in the political socialisation of the villages. Secondly, the announcements, from time to time, of the establishment of representative institutions, their inaugurations and subsequent sessions held by them, attracted a fairly large number of visitors and aroused interest of the people in the working of representative institutions. Shri Lal Chand Choudhary, a Vakil of Banswara, stated in his talk with the author that the opening ceremony of the Banswara Rajya Parishad was held on February 3, 1939, in a pandal specially erected for the purpose. The ceremony attracted hundreds of people. On May 27, thousands of Udaipurians waited under the Suraj Gokhra to listen to the proclamation of the Mewar Constitution by the Maharana of Udaipur. The inauguration ceremonies of the Jodhpur Representative Advisory Assembly and the Jaipur Legislature were also witnessed by thousands of people. Such activities on the part of the rulers or authorities attracted large masses which, in a way, helped political socialization. Thirdly, the representative institutions helped in propagating and developing the education of the masses. A few municipal and district boards and panchayats set up some educational institutions and arranged for libraries, reading rooms and recreation centres. Exhibitions were also organised by a few municipal and district boards. All this accelerated the progress of political socialization. Lastly, the political activities of the Praja Mandals, such as the Annual Conferences, public meetings and satyagraha movements, fomented the tension between the people and their rulers¹ and thus contributed a

1. "Rajput Hero", in its issue of May 27, 1946 observed : "Praja Mandals always attack the Rulers of the States under one or the other pretext, with the result that the gulf of mutual distrust between the princes and their people widens".

lot to political socialization. Moreover, the visits of leaders like Pandit J.L. Nehru, Acharya Kriplani, Shri Shriprakash and Shri Subhash Chandra Bose to propagate the ideals of the All India States Peoples' Conference and State Praja Mandals during 1938-1948 made the public politically well informed and vigilant.

The establishment and working of representative institutions helped in the process of political recruitment and training. The struggle launched for the establishment of representative institutions and, later on, the setting up of a system of representation inspired the people to join organised groups. Of all the groups, the Praja Mandals attracted the people most. Within a few years of their inception, they became popular and their membership increased immensely. Several devoted and selfless social workers came forward to join Praja Mandal and, as such, willingly went in for a political career for themselves. Chief among them were Master Adityendra, Shri Kumbha Ram Arya, Shri Mohan Lal Sukhadia, Shri Narendra Pal Singh Choudhary, Shri Dwarkadas Purohit, Shri Mathura Das Mathur, Shri Tika Ram Paliwal, Shri Bhogi Lal Pandya, Shri Brij Sunder Sharma, Shri Chand Mal Mehta, and Master Bholanath. The representative institutions also helped in imparting a training of leadership. A few leaders had the opportunity to work as executive heads in various municipal boards, such as Shri Devi Shankar Tiwari (Chairman, Jaipur Municipal Board), Shri Brij Sunder Sharma (Bundi Municipal Board), Shri Jai Narayan Vyas (Jodhpur Municipal Board). This experience of executive work stood them in good stead when Shri Tiwari, Shri Sharma and Shri Vyas joined the State Councils as Popular Ministers. A good number of Praja Mandal workers also became the members of legislatures in the States of Banswara, Bharatpur, Bundi and Jaipur. The membership of legislatures, municipal boards and district boards also gave the people some training in the running of representative institutions. The establishment of representative institutions also attracted the members of the feudal order. In Jaipur and Udaipur they organised themselves in a political form. In Jodhpur and Jaipur States they participated in the

elections to the legislature and won a good number of seats. Thus the existence of representative institutions helped a lot in the work of political recruitment and training.

The very presence of representative institutions made the people bold enough to articulate their interests quite candidly. The representative institutions helped in the organisation of political, economic, religious and communal interests. The landlords, peasants, workers, businessmen, political workers, etc., formed their own interest groups. The organisations like the Praja Mandal Party (Jaipur), Jamindar Kisan Sabha (Bharatpur), the Sardar Sabha (Jaipur), the Muslim Party (Jaipur), the Independent Party (Jaipur), the Progressive Party (Jodhpur), the Sewadal Party (Jodhpur), Praja Parishad Party (Bharatpur) gave vent to the interests of their groups in the legislatures. Various other organisations like the Hindu Mahasabha in Alwar and Anjuman Islamia in Bharatpur were powerful groups to reckon with. These organisations had powerful bearing on the constitutional reforms in the States of Alwar and Bharatpur. In Alwar State, the Hindu Mahasabha was provided with one seat out of three Popular Ministers to be nominated by the Maharaja to the State Council. In Bharatpur State, the attitude of Anjuman Islamia proved a great obstructive element in the way of constitutional settlement.

The process of organised representation of articulated interests was helped in two ways. Firstly, the movements organised by the Praja Parishad to achieve the establishment or liberalisation of the constitutions of representative institutions helped in bringing together the diverse interest in Society. In April 1947, all political parties united under the banner of Marwar Lok Parishad to oppose the Legislative Assembly instituted under the Jodhpur Act of 1947. In May 1946, the Bharatpur Raj Praja Parishad first decided to accept the reforms promulgated by the Maharaja on 21st May, 1946, but under the influence of Anjuman Islamia, it later on decided to boycott the elections to the Bharatpur Legislative Assembly. Secondly, the interest groups, on various

occasions, combined to oppose any undesirable legislations or proposals in the legislatures. For example, the Jaipur Quazis Bill, 1945, was opposed by the members of various pressure groups and thus the government was obliged to withdraw the Bill. Again, in October 1946, when the Budget for 1946-47 was presented before the members of the Bharatpur State Brij-jaya Pratinidhi Samiti, not a single member made any suggestion for the reason that their suggestions had never been honoured by the government previously. However, such instances of the organised representation of interests were very few and far between.

The function of political communication was also served by the representative institutions. Through advisory boards, legislative assemblies, municipal boards, etc., demands and wishes of the people were communicated to the government and government in its turn communicated the measures which it took to satisfy the demands of the people. Thus the representative institutions served the purpose of intermediaries in political communications between the rulers and their subjects.

A perusal of the political situation of Rajasthan in 1948 reveals that by that time the political socialisation and political recruitment were still in their infancy, the articulation and aggregation of interests was most inadequate, political communication was rather ineffective and the making, adjudication and application of laws was quite negligible. The scanty input and output of the representative institutions again proves that they were in their initial stage.

Factors Responsible for Inadequate Achievements

We have analysed the reasons for the inadequate achievements of the representative institutions in any tangible form. The scantiness of the non-tangible achievements could be attributed to the existence of the feudal structure, lack of proper means of expressing the public opinion, absence of the rule of majority party and the excessive control of government. It is only in a full-fledged democracy that the representative institutions can

perform their input and output functions properly. But the nature of the States in Rajasthan was monarchic. The authority of the representative institutions when set up was of a mutilated character. Effective means of expressing public opinion, such as newspapers and organised political parties, are a vital necessity for the successful functioning of democracy but Rajasthan lacked them considerably. Government by the majority party is a necessity for the proper and effective two-way communication, but it just did not exist in Rajasthan.² The excessive government control and regular interference in the working of the representative institutions greatly hindered the rule-adjudication and rule-application functions of the representative institutions. Moreover, the lack of good leadership and undemocratic and defective composition of the representative institutions were also responsible for meagre non-tangible achievements.

Conclusion

To conclude this plain, unvarnished tale of the growth of representative institutions in Rajasthan, we can say that although these bodies were in their primary stage in 1948, yet they provided a firm and well-planned foundation on which a sound structure of democracy could be built up by those who were genuinely ready for both labour and sacrifice. By the time a democratic set-up was established in Rajasthan, the representative institutions had not only taken firm roots but also prepared the necessary atmosphere for training in the art of government the political leaders on whose shoulders the responsibility of the success or failure of democratic institutions was to fall. The level of progress which the representative institutions could achieve by the close of 1948 raised hopes for a brilliant future in which Rajasthan would march abreast of its sister states to attain the goal of liberty, equality and justice for all. The events that followed in the subsequent years justified our expectations.

2. In Jaipur the responsible government was formed in 1948.

APPENDIX I

**Letter addressed to His Highness of Udaipur by Shri⁴ Menikya Lal Vaira,
dated August 21, 1942.**

".....I, as the President of the Praja Mandal, request your Highness to break all connections with the Paramount power according to the advice of Pujya Mahatmaj and to earn the goodwill and loyalty of your subjects by giving them a share in the Government of the State. Our demand then would be satisfied. I also beg to submit to your Highness that your Highness, not only ought to gain the respect and loyalty of your subjects but also share in the glory Mewar will have in the removal of the British Government from India.

We have every hope that your Highness, being a Suryavansi and born of the blood of Maharana Pratap, will revive their glory again in the eyes of the world by acceding to the demand of independence."

Mewar Praja Mandal (1938-1945)

—Page 7.

Editor : MOHAN LAL SUKHADIA.

Published by Ramesh Chandra Vyas.

APPENDIX II

The following notification makes clear the reasons for which the Jaipur Raj Praja Mandal was refused recognition as a lawful association—

"His Highness the Maharaja Bahadur is not persuaded that a form of administration responsible to the public is one best suited to the needs of his people at the present stage of development in Jaipur, while, therefore, yielding to none in his determination that the present form of administration should develop in such a way that these needs are more fully apprehended and adequately met. His Highness is not prepared to approve the activities of any society whose object is to upset the existing order.

As the aims and objects of Jaipur Praja Mandal are inconsistent with this policy and the Mandal assumes for itself some of the essential duties of government and will, if allowed to pursue its activities on divergent lines, tend to bring its members into direct conflict with the administration, the Jaipur Government has rejected the Praja Mandal request for recognition and for permission to continue to function as an association."

Council of State Notification

No. 43/P.M.O.,

dated 11th January, 1939.

"as reported in PRABHAT", 13th January, 1939.

APPENDIX III

**SOME CASE STUDIES ILLUSTRATING THE
LEGISLATIVE PROCEDURE**

(1) On May 29, 1945, a member of the Executive Council of Bikaner State asked the leave of the House for the introduction of Bikaner Contract (Amendment) Bill, 1945. The leave was granted. Then the Member in charge of the bill moved that the bill be taken into consideration by the Assembly. The House agreed to his request. After a short discussion the Member in charge moved that the bill be passed. The motion that the bill be passed was put to vote by the President of the Assembly and was unanimously approved. It is to be noted that the bill was passed by the Assembly without its going through the committee-stage and report-stage. But such occasions were rare.

(2) On 20th May, 1945, Rao Bahadur Kishanlal Kaul begged the leave of the House to introduce Bikaner State Workmen Compensation Bill, 1945. While introducing the bill he, in his explanatory statement, observed..... 'It is hoped that after the end of war, industries will develop and the factories will be run by steam and electricity, in which a number of labourers will work. They will run a particular type of risk there. The aim of this bill is to make necessary provision for compensation for those labourers and their families who may become disable or die during the course of work in a factory. The House granted the leave to introduce the bill, and, as such, Shri Kaul moved that the bill be referred to the Select Committee. This motion was approved. The House appointed a Select Committee of nine persons. The Select Committee submitted its report on the 14th November, 1945. A motion to consider the bill as reported by the Select Committee was made to which the House agreed. Thereafter, Mr. Kaul, Member in charge of the bill, moved that the bill be passed as reported by the Committee. The President of the Assembly put the motion to vote and the same was approved unanimously. In the same way the Partnership Bill and the Income Tax Bill were introduced on the 14th November, 1945, in the Bikaner Legislative Assembly and were referred to Select Committees. The Income Tax Bill was again re-committed on 25th March, 1946. The Prevention of Unequal Marriages Bill, introduced in November, 1945, was sent for eliciting public opinion.

(3) On 12th March, 1947, Mrs. Sharda Bhargava introduced the Jaipur Prevention of Unequal Marriages Bill. The leave to introduce the bill was granted. The bill was considered and referred to a Select Committee. The report of the Select Committee was presented in the House on the 24th February, 1948. The Committee recommended that the bill be circulated for the purpose of eliciting public opinion. Mrs. Sharda opposed the motion and emphasised that its circulation for public opinion shall cause unnecessary delay. After discussion, it was moved that the Jaipur Prevention of Unequal Marriages Bill be circulated for the purpose of eliciting public opinion thereon as recommended by the Select Committee. The motion was put to vote and was passed with twenty-eight votes in favour and five against it.

In the same way a few other bills were also introduced, viz., Thakur Amar Singh (House Minister) introduced Hindu Jains Learning Bill, on September 27, 1945; the motion was considered and passed on the same day. The Jaipur Arya Marriages Validation Bill was also introduced, considered and referred to a Select Committee on the same day. The report of th^e

Select Committee on the Jaipur Arya Marriages Validation Bill was presented on 20th March, 1946, and the bill was passed without revision. The Jaipur Religious Endowment Bill 1946 was also introduced, considered and referred to a Select Committee on 20th March, 1946.

based on
THE GOVERNMENT OF BIKANER LEGISLATIVE
ASSEMBLY PROCEEDINGS—May 1945 and November
1945.

THE JAIPUR LEGISLATIVE COUNCIL DEBATES, OFFICIAL REPORTS, Volumes I to VI.

APPENDIX IV

SOME CASE STUDIES ILLUSTRATING THE FINANCIAL PROCEDURE

On March 22, 1946, the Finance Minister of Bikaner presented the State Budget for 1946-47 before the Legislative Assembly. The Budget was discussed on the following two days. Nine members participated in the discussions. The Finance Minister replied to the criticism made by the members. On the 26th of March demands for grants for the beneficent departments were made and put to vote. Five cut motions were moved, in all, two of them were lost when put to vote and the rest were withdrawn. Thereafter, a bill for the appropriation of money required to meet the grants was presented.

The Prime Minister of Jaipur State presented the Budget for the year 1947-48, before the Legislative Council on the 27th of August, 1947, and explained the main principles of the budget to the members. Shri Tika Ram initiated the general discussions on the budget on the 29th of August, 1947. The discussions continued for two days (29th and 30th) in which seventeen members participated. At the end of the discussions on Home affairs, education, and P.W.D., the ministers concerned replied to the criticism levelled against their departments. On the 1st and the 2nd September, 1947, discussions and voting on demand for grants took place. Thirty-two cut motions were moved but they were withdrawn after the government's assurance. Thereafter a bill of appropriation was moved and passed.

based on
THE GOVERNMENT OF BIKANER LEGISLATIVE ASSEMBLY PROCEEDINGS, March 1946.

THE JAIPUR LEGISLATIVE COUNCIL DEBATES
OFFICIAL REPORT, August-September 1947.

GLOSSARY

Abhinandan Patra (Hindi) : a letter of Admiration presented on some important occasion.

Adalty Panchayats (Hindi-Urdu compound) : Village Panchayats empowered with Judicial and magisterial powers.

AISPC : All India States Peoples' Conference.

Annadata (Hindi) : Lit., 'bread-giver'—a term of address to the Ruler, formerly indicated loyalty but has become an expression of servitude for the last fifty years.

Barani (Rajasthani) : a barren land.

Baniya (Hindi) : an Indian broker or money-lender.

Baories or Bawaries (Hindi) : big pukka built square wells with stairs leading to the water.

Bazar (Urdu) : a market place.

Begar (Hindi) : forced labour without any remuneration.

Bhisties (Urdu) : water carriers.

Bhomias (Rajasthani) : petty landholders.

Brahmins (Hindi) : the highest priestly class among the Hindus.

Brij-Jaya Pratinidhi Samiti : The Maharaja of Bharatpur named the Samiti after his own and his wife's name. His name was Brijendra Singh and his wife's name was Maharani Jaya. Hence 'Brij-Jaya'.

Chakars (Rajasthani) : hereditary menials owned by the rulers as their property and employed by them as their slaves. They were also known as Golas, Darogas and Hajuries.

Chelas (Hindi) : male disciples of a religious priest.

Chelies (Hindi) : female disciples of a religious priest or priestess.

Chamars (Hindi) : low caste people, especially tanners and dealers in hides.

Chhutbhaiyas (Rajasthani) : an order of the younger brothers and cousins of the heir apparent.

Chokaries (Rajasthani) : squares at cross roads in a town.

Chowkidar (Hindi) : a watchman.

Daman (Hindi) : ruthless suppression.

Dewan (Urdu) : Prime Minister.

Dwij (Sanskrit) : Lit., 'twice holy'; used for a Brahmin.

Dyodhias (Rajasthani) : door-keepers of the male and female apartments of the royal palaces.

Eklingji Parmeshwarij (Hindi) : the phallic representation of Lord Shiva traditionally worshipped as the presiding God and real Ruler of the throne of Mewar. The Rulers of Mewar always considered themselves as the Dewans of Eklingji.

Fazli Year (Urdu) : Mohammedan era, giving a difference of 592 years less than the Christian era.

Fojdar (Urdu) : a government official equal to a head constable in rank.

Hakim (Urdu) : Magistrate.

Hakumat (Urdu) : District administration.

Hartal (Urdu) : strikes.

Hawaladar (Urdu) : a sergeant.

Hindu Posalas, (Hindi) : indigenous primary schools conducted in temples, etc.

Hidayats (Urdu) : instructions issued by ruler.

Ilaquas (Urdu) : areas.

Jats (Hindi) : a martial and agricultural race among the Hindus.

Jhonparies (Hindi) : straw and mud built huts with thatched roofs.

Kamdar (Urdu) : a person who managed government affairs in a smaller state on behalf of the ruler.

Khalsa Land (Urdu) : government land.

Kisans (Hindi) : farmers or agriculturists.

Kotwal (Urdu) : a police officer, in charge of the city police station.

Kharita Darbar : Coronation Darbar.

Lagbag (Rajasthani) : a sort of cess.

Mafidars (Urdu) : land-holders who were given holdings in recognition of their services to the ruler and who were exempted from paying the land revenue.

Maharana, Maharaja, Maharawal, Maharajarana, Rajadhiraj, (Hindi) : Titles by which the rulers of various States were addressed.

Mehtars (Hindi) : sweepers.

Mela (Hindi) : fair.

Mukhya Sachiv (Hindi) : Chief Minister.

Munsif (Urdu) : a Judicial officer of the rank of a magistrate empowered to deal with Civil suits only.

Musahib-e-ala (Urdu) : Prime Minister.

Muslim Maktabas (Urdu) : Urdu Primary Schools.

Naib (Urdu) : an Urdu prefix meaning 'Sub'.

Nazims (Urdu) : Sub District Officers.

Nigranidar (Urdu) : watch-keeper over labourers.

Nukta (Rajasthani) : a large feast given on the 12th day of the death of a person.

Pokhars (Rajasthani) : small ponds in villages.

Rai Sahib (Hindi) : a title formerly awarded by the Government in appreciation of one's services.

Rajguruji (Hindi) : hereditary religious priest and guide of the ruling family.

Rajvees (Rajasthani) : an order of prominent nobles.

Rajya (Hindi) : State.

Rastas (Urdu) : bypaths.

Sadvidhya Pracharini Sabha (Hindi) : Right Education Propagating Society.

Sahookars (Rajasthani) : a financier or creditor of the merchant-class.

Sambhar Shamlat (Urdu) : a Salt Lake area under the joint ownership of the two States of Jaipur and Jodhpur.

Shamshanghat (Hindi) : crematory.

Sarvashri (Sanskrit, Sarva—all ; Shri—Mr.) : a formal term of respect to all.

Shriji (Hindi) : a title of the Maharaja of Mewar.

Suraj Gokhra (Rajasthani) : the Sun Balcony from which the Maharaja of Udaipur was in the habit of receiving salute from his subjects.

Teh Bazaar Tax (Urdu) : Tax levied on the merchants who displayed their goods for sale at a weekly or monthly fair in Tonk State.

Thanedar (Urdu) : a Sub-Inspector of Police.

Thikana (Urdu) : an estate.

Thikanodar (Urdu) : owner of an estate.

V.S. : Vikrami Samvat. The Hindu era started after the name of King Vikram. In comparison with the Christian era it gives a difference of 57 years more than the former.

Vishva Vidyakaya (Hindi) : university.

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